THE PROPOSITIONS OF THE ROMAN CATHOLICKS OF IRELAND,

Presented by their Commissioners to His Sacred Majestie, in April, M. DC. XLIV.

As also the Answer of the Agents for the Protestants of Ireland, made to the said Propositions; and their Petition and Propositions to His Majesty; with His Majesties answer to the Propositions of the said Roman Catholicks: And the answer of JAMES *Marquess of Ormond His Majesties Commissioner for the treatie and concluding of a Peace in the Kingdome of Ireland, to the said Propositions.*

Waterford by Thomas Bourke, Printer to the Confederate Catholicks of Ireland, M. DC. XLIV.

THE PROPOSITIONS OF THE ROMAN CATHOLICKS OF IRELAND,

Presented by their Committioners to His Sacred Majestie, in April, M. DC. XLIV.

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TO THE READER.

WHereas the Supreme Councell of the Confederate Catholicks of Ireland, imployed ſeverall perſons of qualitie into England, authorized by Commiſſion to ſupplicate his Majeſtie, for redreſſe of the grievances of the ſaid Catholicks, and to ſettle a firme peace in Church, and Commonwealth, who having then for ſome time attended His Majeſtie to that purpoſe, His Majeſties good intentions to the peace of this Kingdome, was for that preſent diverted, by the falſe Informations of perſons ill affected to this Nation, whoſe ſuggeſtions happened to be then liſtned unto, and anſwers accordingly given: So as the ſaid Commiſſioners returned into this Kingdome, with hopes onely, that His Majeſtie might in time bee better poſſeſſed of the power, and affections of His Catholicke ſubjects here, and of the uſe to be made thereof, His Majeſtie being pleaſed notwithſtanding the ſaid informations to give Commiſſion to the Lord Marques of Ormond, Lieutenant Generall of Ireland, for the continuance, and concluding of the treatie, begun before His Majeſtie; In purſuance of which Commiſſion, the ſaid Catholicks preſented their propoſitions, the ſame in ſubſtance they firſt preſented to His Majeſtie in Oxford, unto which ſome anſwers were made, which being no way ſatisfactorie, were replied unto, and ſo the matter proceeded to a long diſpute, & debate, wherein many difficulties occurring, the treatie was adjourned, and ſo continues till

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the tenth of January *next, by which time His Majesties resolution upon the whole matter represented unto him is expressed, & a firme, & lasting peace hoped for. This being the state the treatie is in at this time, it may be conceived improper to give an account of the particular passages which are but overtures, and alterable, as it is well hoped, and little to bee doubted, but that in this they will bee, yet some to breed distraction and mistrusts among the said Confederates, or blinded with private and ambitious ends, and impatient of any delay, have been so malicious, or mistaken, as to traduce the said Confederate Catholicks, and their Commissioners affirming they might have obtained Conditions satisfactorie to any reasonable people, but that they rejected the same. To satisfie therefore all indifferent Iudgements that may enter into the consideration of the said proceedings, and to make it manifest, that the whole scope of the said Catholicks was, and is for the freedome of the Nation in their Religion, Estates, and Liberties, with out trenching upon His Majesties rights, or other end, and that it may appeare how farre the proceedings hitherto come short of that: It was thought necessary to expose those proceedings to publicke view, by putting them to the presse, so to cast off those aspersions, that ignorant, or malicious persons endeavour to cast upon them, having yet nevertheless assured hopes that His Majesty will in time afford remedies to these Complaints, and with a gracious eye looke upon the sufferings of this afflicted nation.*

The propoſitions of the Roman Catholicks of Ireland humbly preſented unto His Sacred Majeſtie, in purſueance of their Remonſtrance of grievances, and to bee annexed to the ſaid Remonſtrance.

1. THat all Acts made againſt the profeſſors of the Roman Catholicke Faith whereby any reſtrainte, penaltie, mulct, or incapacitie may bee layed upon any Roman Catholicke within the Kingdome of Ireland, may bee repealed, and the ſaid Catholicks to be allowed the freedome of the Roman Catholicke Religion.

2. That your Majeſtie will bee pleaſed to call a free Parliament in the ſaid Kingdome, to bee held, and continued as in the ſaid Remonſtrance is expreſſed and the ſtatute of the tenth yeare of King *Henry* the ſeventh, called Poynings act, and all acts explayning, or enlarging the ſame be ſuſpended, during that parliament

for the ſpeedy ſettlement of the preſent affaires, and the repeale thereof to bee there further conſidered of.

3. That all acts, and ordinances made and paſſed in the now pretended parliament in that Kingdome ſince the ſeventh day of Auguſt 1641. be cleerely annulled, and declared voyd, and taken of the file.

4. That all Indictments, Attainders, Outlawries, in the Kings Bench, or elſewhere ſince the ſaid ſeventh day of Auguſt 1641. And all letters pattents. grants, leaſes, cuſtodiums, bonds, recognizances, and all other records, act, or acts depending thereupon, or in prejudice of the ſaid Catholicks, or any of them bee taken off the files, annulled and declared void: firſt by your Majeſties publicke Proclamation, and after by act to be paſſed in the ſaid free Parliament.

5. That inaſmuch as under collour of ſuch outlawries, and attainders, debts due unto the ſaid Catholickes have been granted, levyed, or diſpoſed of, and of the other ſide, that debts due upon the ſaid Catholicks to thoſe of the adverſe partie have been levied, and diſpoſed to publicke uſe, that therefore all debts be

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by act of Parliament mutually releaſed, or, all to ſtand in *ſtatu Quo.* notwithſtanding any grant, or diſpoſition.

6. That the late offices taken, or found upon fayned, or old titles ſince the yeare 1634. to intitle Your Majeſtie to ſeverall Countreyes in *Connaght*, *Thomond*, and in the Counties of *Tipperarie*, *Lymmericke*, *Kilkenny*, and *VVickloe*, be vacated, & taken off the file, & the poſſeſſors ſetled, & ſecured in their ancient eſtates by act of Parliament. And that the like act of limittation, of your Majeſties titles for the ſecuritie of the eſtates of your ſubjects of that *Kingdome* be paſſed in the ſaid parliament, as was enacted in the one and twenty yeare of his late Majeſties raigne in this *Kingdome*.

7. That all Marckes of incapacitie impoſed upon the natives of that *Kingdome* to purchaſe, or acquire lands, leaſes, offices, or hereditaments be taken away by act of parliament, and the ſame to extend to the ſecuring of purchaſes, leaſes, or grants already made. And that for the education of youth an act be paſſed in the next parliament, for the erecting of one, or more Inns of Court, Vniverſities free, and common ſchooles.

8. That the offices, and places of command honour, profit, and truſt within that Kingdome be conferred upon Roman Catholicks natives in equalitie, and indifferencie with your Majeſties other ſubjects.

9. That the inſupportable oppreſſion of your ſubjects by reaſon of the Court of Wards, and reſpit of homage, be taken away, and a certaine revenue in lieu thereof ſetled upon your Majeſtie without diminution of your Majeſties profit.

10. That no Lord not eſtated in that Kingdome, or eſtated, and not reſident ſhall have vote in the ſaid parliament by proxie, or otherwiſe, and none admitted to the houſe of Commons, but ſuch as ſhall be eſtated, and reſident within the Kingdome.

11. That an act be paſſed in the next parliament declaratorie that the parliament of Ireland is a free parliament of it ſelfe, independant of, and not ſubordinate, to the parliament of England: And that the ſubjects of Ireland are immediatly ſubject to your Majeſtie as in right of your Crowne: and that the members of the ſaid parliament of Ireland, and all other the ſubjects of Ireland are independant, and no

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way to bee ordered, or concluded by the parliament of England, and are onely to bee ordered, and governed within that Kingdome by your Majeſtie and ſuch Governors as are, or ſhall be there appointed, and by the parliament of that Kingdome according to the lawes of the land.

12. That the aſſumed power, or Iuriſdiction in the Councell-boord of determining all manner of cauſes, bee limitted to matters of ſtate, and all pattents, eſtates, and grants illegally, and extrajudicially avoyded there, or elſewhere be left in ſtate as before, and the parties grieved, their heires, or aſſignes, till legall eviction.

13. That the ſtatutes of the eleventh, twelfth, and thirteenth yeare of Queene *Elizabeth* concerning ſtapple-commodities be repealed, reſerving unto your Majeſtie lawfull, and juſt pondage, and a booke of rates to bee ſetled by an indifferent Committee of both houſes, for all commodities.

14. That in as much as the long continuance of the chiefe governor, or governors of that Kingdome in that place of ſo great eminencie, and power, hath beene a principall occaſion

caſion that much tyrannie, and oppreſſion hath beene exerciſed upon the ſubjects of that Kingdome. That your Majeſtie will bee pleaſed to continue ſuch governors hereafter but for three yeares. And that none once imployed therein bee appointed for the ſame againe, untill the expiration of ſix yeares next after the end of the ſaid three yeares: And that an act paſſe to diſinable ſuch governor, or governors during their government, directly, or indirectly, in uſe, truſt, or otherwiſe to make any manner of purchaſe, or acquiſition of any mannors, lands, tenements or hereditaments within that Kingdome, other then from your Majeſtie, your heires or ſucceſſors.

15. That an act may be paſſed in the next parliament for the raiſing & ſetling of trained bands within the ſeuerall Counties of that Kingdome, as well to prevent forraigne invaſions, as to render them the more ſerviceable and ready for your Majeſties occaſions, as cauſe ſhall require.

16. That an act of oblivion be paſſed in the next free parliament to extend to all your Majeſties ſaid Catholicke ſubjects, and their adherents for all manner of offences, capitall; criminall,

criminall, and perſonall: And the ſaid act to extend to all goods, and chattells, cuſtomes, maine-profits, prizes, arreares of rents taken, received, or incurred ſince theſe troubles.

17. For as much as your Majeſties ſaid Catholicke ſubjects have been taxed with many inhuman cruelties which they never committed, your Majeſties ſaid ſuppliants therefore, for their vindication, and to manifeſt to all the world their deſire to have ſuch heynous offences puniſhed, and the offendors brought to Iuſtice, doe deſire, that in the next Parliament, all notorious murders, breaches of quarter, and inhuman cruelties, committed of either ſide, may bee queſtioned in the ſaid Parliament, if your Majeſtie ſo thinke fit, and ſuch as ſhall appeare to be guiltie to be excepted out of the ſaid act of oblivion, and puniſhed according their deſerts.

For as much DREAD SOVERAIGNE, as the wayes of our addreſſes unto your Majeſtie for apt remedies unto our grievances were hitherto debarred us, but now at length through your benigne grace and favour layd open, Wee doe humbly preſent theſe in purſuance of the ſaid Remonſtrance, which granted your ſaid

ſubjects

ſubjects are ready to contribute the ten thouſand men as in their remonſtrance is ſpecified towards the ſuppreſſing of the unnaturall rebellion now in this Kingdome: And will further expoſe their lives, and fortunes to ſerve your Majeſtie, as occaſions ſhall require.

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The

The Answers of the Agents for the Protestants of Ireland, to the Propositions of the Roman Catholicks of Ireland, made in pursuance of his Sacred Majesties directions of the ninth of May 1644. *requiring the same.*

1, TO the first wee say that this hath beene the pretence of almost all those who have entred into Rebellion in the Kingdome of *Ireland* at any time since the Reformation of Religion there which was setled by act of Parliament above eighty yeares since, and hath wrought good effect ever since, for the peace and welfare both of the Church and Kingdome there, and of the Church and Kingdome of *England* and Protestant partie throughout all Christendome, and so hath beene found wholesome and necessarie by long experience, and the repealing of those Lawes will set Popery againe both in jurisdiction, profession, and practice, as it was before the said Reformation, and introduce amongst other inconveniences, the Supremacie of *Rome*, and take away, or much endanger your Majesties Supreme and just authoritie in causes Ecclesiasticall, a diminution of honour and power not to be endured. The said acts extending aswell to seditious sectaries, as to popish Recusants. So as by the repeale thereof, every man may seeme to be left to choose his owne Religion in that Kingdome which must needs beget great confusion, and the abounding of the Roman Clergy there, hath beene one of the greatest occasions of this late Rebellion, Besides it is humbly desired that your Maiestie will be pleased to take into your gracious Consideration a

clauſe in the act of Parliament paſt by your Majeſties Royall aſſent in *England* in the ſeventeenth yeare of your raigne touching puniſhment to be inflicted upon thoſe that ſhall introduce the authoritie of the See of *Rome* in any caſe whatſoever.

2. Whereas they deſire to have a free Parliament called, reflecteth by ſecret and cunning implication upon your Majeſties preſent Parliament in *Ireland* as if it were not a free Parliament, Wee humbly beſeech your Majeſtie to reſent how dangerous it is to make ſuch inſinuation or intimation to your people of that kingdome touching that Parliament, wherein ſeverall acts of Parliament have already paſſed, the validitie whereof may be endangered if the Parliament ſhould not be approved as a free Parliament, and it is a point of ſo high nature as we humbly conceive is not properly to be diſcuſſed but in Parliament. And your Majeſties ſaid Parliament now ſitting is a free Parliament in Law, holden before a perſon of honour and fortune in that Kingdome compoſed of good loyall, and well affected ſubjects to your Majeſtie, who doubtleſſe will be ready to comply in all things that ſhall appeare to be pious and juſt for the good of the true Proteſtant Religion, and for your Majeſties ſervice, and the good of the Church, and State, That if this preſent Parliament ſhould be diſſolved, it would be a great terrour, and diſcontent to all your Majeſties proteſtant ſubjects of that kingdome, and may be alſo a meanes to force many of your Majeſties ſubjects to quite that Kingdome, or peradventure to adhere to ſome other partie there in oppoſition of the Romiſh Iriſh confederates, rather then be lyable to their power, which effects may prove of moſt dangerous conſequence, and we humbly offer to your Majeſties conſideration your owne gracious expreſſions mentioned in the grounds and motives inducing your Majeſtie to agree to a Ceſſation of Armes for one whole yeare with the Roman Catholickes of *Ireland* Printed at *Oxford* the ninth of *October* 1642. *viz.* And let all our good ſubjects be aſſured that as we have for theſe reaſons, and with this caution, and deliberation conſented to this preparative to peace,

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And to that purpoſe doe continue our Parliament there, ſo we ſhall proceed in the accompliſhment thereof with that care, and circumſpection, that we ſhall not admit even peace it ſelfe otherwiſe then as it may bee agreeable to conſcience, honour and juſtice. We alſo humbly deſire that ſuch Lawes as your Majeſtie ſhall thinke fit to paſſe may bee tranſmitted according to *Poynings* Law, and other lawes of explanation thereof, or of addition therevnto now in force with great contentment and ſecuritie to your Majeſties proteſtant ſubjects. But if the preſent Parliament be diſſolved we humbly repreſent unto your Majeſtie that ſo many of your ableſt, and beſt proteſtant ſubjects have beene murdered, or baniſhed by this Rebellion, that few or no proteſtant Freeholders will be found in the Counties, Cities, and Burroughs to elect, and chooſe Knights, Citizens, and Burgeſſes, which will be moſt dangerous to your Majeſties rights and prerogatives and good ſubjects, and may beget great diſputes in after times for the repealing of *Poynings Act*, notwithſtanding their faigned expreſſions of their loyaltie. Yet it plainely appeares they doe not repoſe ſucht ruſt in your Majeſties Iuſtice as it becommeth lo yall ſubjects to doe, and ſuch they pretend themſelves to be, for that they ſeeke thereby to prevent your Majeſtie and your Councell of *England*, & *Ireland* of ſo full a view, & time of mature conſideration to be had of acts of Parliament of *Ireland* before they paſſe as in prudence is requiſit, and hath been found neceſſarie by the experience of well neere two hundred yeares, And if their intentions were ſo cleare as they profeſſe wee know not why they ſhould avoyde the ſtricteſt view, and tryall of your Majeſties, and your Councels of both Kingdomes. This they deſire intending to introduce a great diminution of your Royall and neceſſarie power for the conſervation of your Regall State, and protection of your good proteſtant ſubjects there and elſewhere. And what ſpeciall uſe they ayme at in ſeeking ſuch repeale your proteſtant ſubjects as they know not the particular ſo can they conjecture of none unleſſe the ſaid Confederates have ſome deſigne by way of ſurprize to obtrude upon your Majeſtie in their new

desired Parliament some acts in Iustification of their ill done actions, and for condemning such of your protestant subjects as have in their severall degrees most faithfully served your Majestie there, which we the rather beleeve seeing they have proved by their oath of Association, and the *Bull* lately published in *Ireland* since the Cessation, the destruction of the Protestants there, when they have their swords in their hands to put the same in execution.

3. Wee humbly desire that they may particularize those orders or ordinances which may prejudice your Majesties service. For we are well assured that the Parliament now sitting in *Ireland* on signification of your Majesties pleasure therin, eyther will give your Majestie full satisfaction, or repeale any unjust orders, or ordinances whatsoever, which may be prejudiciall to your Majestie. And there may be some orders, or ordinances which may concerne particular persons in their lives, liberties, or fortunes, that may suffer unheard by the admittiug of so generall a proposition, which is meerely proposed, as wee humbly conceive to put a scorne on your Majesties parliament now sitting there, and to discourage your protestant subiects who have faithfully served your Maiesty in that parliament.

4. This wee conceive to be a very bold proposition not warranted as we also conceive by any example, & tending to introduce an ill president in after times, for it was never seene that Records were taken of the file but where there was some corruption, or fraud, or some illegall, or uniust carriage used in, and concerning the procuring, or making up of such Records, and the same first well proved upon due examination, And it may not onely conceale, but in some sort seeme to iustifie their abominable Treasons, Murders, Cruelties, Massacres, and plunders acted against your Maiesties person Crowne and dignitie, upon the persons of your Maiesties most loyall protestant subiects in that Kingdome, and encourage the Papists there to doe the like againe, besides the discouragement it may beget in your Maiesties officers, and subiects to their duties in the like insurrections which may happen

pen hereafter, which alſo may prove very preiudiciall to your Maieſties rights and revenues, if the Records to ſupport the forfeytures wherein many of them are or may be grounded, ſhould be taken of the file, and Cancelled.

5. We humbly conceive that in times of peace, and moſt ſetled government. When the Court of Law and Iuſtice is moſt open, & beſt obſerved, that the debts due to the Crowne and actually levied and payed in to your Maieſties uſe, ought not to bee reſtored though the Records of the forfeytures ſhould legally be reverſed, which is farre from the preſent caſe, And this propoſition tendeth to croſſe the juſt right of your Majeſtie, and to make the diſpoſition by the Confederate popiſh Rebels of debts due to proteſtants, and by the ſaid rebels by fraud and force levyed, and diſpoſed in maintenance of their rebellion, which commonly they call by the name of publicke uſes, to be in equall degree with the debts owing by the rebels and by them all forfeyted, and many of them by law duely levyed, which is a moſt unequall and unjuſt thing. And the ſaid propoſitions cannot, nor doth make offer to have the popiſh Confederats cut off from the debts due to them which they have juſtly forfeyted, but only for a colour of conſideration, to have the proteſtants looſe ſuch debts juſtly due to them, as have beene unjuſtly taken from them, who have done no act at all to forfeyte them.

6. We know not of any offices found on fayned Titles, nor what the Confederats may demand in reſpect of any graces promiſed by your Majeſty, which we intend not, nor have any occaſion to diſpute, but do humbly conceive that all thoſe who have committed treaſon in the late rebellion ſubſequent to your Majeſties promiſe of thoſe graces, have thereby forfeyted the benefit thereof together with the Lands which the ſaid graces, might elſe have related, and ſo their whole eſtates are now juſtly fallen to your Majeſty by their rebellion, which we conceive is of great importance for your Majeſties ſervice to be taken into conſideration, as firſt with regarde of the ſtatutes made in the preſent Parliament of *England*. Secondly the neceſſarie encreaſe of your revenue decayed by

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the preſent rebellion. Thirdly the aboliſhing of the evill cuſtome of the Iriſh, and preſervation of Religion, Lawes and government there. Fourthly the ſatisfaction of your proteſtants ſubjects loſſes in ſome meaſure. Fiftly the arrears of your Majeſties Army, and other debts contracted for that war, & for preſervation of that Kingdome to your Majeſtie. Sixtly the bringing in of more Brittiſh on the plantations. Seventhly the building of ſome walled Townes in remote, and deſolate places for the ſecuritie of that kingdome, and your good ſubjects there. Eightly the taking of the Natives from their former dependencie on their chiefetaynes who uſurped an abſolute power on them to the diminution of your Regall power, and to the oppreſſion of the inferiour.

7. This we conceive concerneth ſome of the late plantations and no other part of that Kingdome, and that the reſtitution herein mentioned is found to bee of great uſe eſpecially for the indifferencie of tryalls ſtrength of the government, and for trade and trafficke, and we humbly conceive that if other plantations ſhall not proceede for the ſetling, and ſecuring of that Kingdome, & that no reſtraint be made of papiſts purchaſing, or buying of the proteſtants out of their former plãtations where they were prudently planted, though now caſt out of their eſtates by the late rebellion, & unable to plant the ſame againe for want of meanes, and therefore probably upon eaſy tearmes will part with their eſtates to the Confederates. That thoſe plantations will be deſtroyed to the great prejudice of your Maieſties ſervice, and endangering of the ſafety of that Kingdome. Touching bearing of offices we humbly conceive that their non-conformitie to the lawes and ſtatutes of that Realme is the onely marke of incapacity impoſed upon them. And wee humbly conceive that they ought not to expect to be more capable there then the Engliſh Natives are here in *England* in like caſe. For Schooles in *Ireland* there are divers ſetled in all parts of that Kingdome already by the Lawes and ſtatutes of that Realme. And if any perſon well affected ſhall erect, and endow any more ſchools there, at their owne charges, So that the Schoole-maſters and

ſchollers

ſchollers may be governed according to the lawes, cuſtome, and orders of *England*, and the beſt of freeſcholes here. Wee cannot apprehend any iuſt exceptions thereunto, but touching Vniverſities, and Innes-of-Court. We humbly conceive that this part of the propoſition ſavoureth of ſome deſire to become independent upon *England*, or to make a ſeparation in the Religion and lawes of the kingdome, which can never be truly happy but in the good unitie of both in the true proteſtant religion, and in the lawes of *England*. For as for matter of charge ſuch of the Natives as are deſirous to breede their ſonnes for learning in divinitie can be well content to ſend them to the Vniverſities of *Lovain*, *Doway*, and other places in forayne Kingdomes, and for Civill law or Phyſicke to *Padua*, & other places which drawes a great treaſure yearely out of your Majeſties Dominions, but will ſend few, or none of them to *Oxford* or *Cambridge*, where they might as cheaply be brought up and become as learned, Which courſe we conceive is holden out of their pride and diſaffection towards this Kingdome, and the true Religion here profeſſed. And for the lawes of the land which are for the Common-lawes agreeable to *England*, ſo for the greateſt part of the ſtatutes, the Innes of Courts in *England* are ſufficient and the proteſtants come thither without grudging, And it is a meanes to civilize them after the Engliſh cuſtomes to make them familiar, and in love with the language, and Nation to preſerve law in the puritie when the profeſſors of it ſhall draw of one originall fountaine, and ſee the manner of the practiſe of it in the ſame great Channell where his Majeſties Courts of Iuſtice of *England* doe flow cleerely. Whereas by ſeparations of the Kingdomes in the place of their principall inſtruction where their foundations in being are to be layd, a degenerate corruption, in Religion and Iuſtice may happily be introduced, and ſpred with much more difficultie to be corrected and reſtrayned afterwards by any diſcipline to be uſed in *Ireland*, or puniſhments there to be inflicted for departing from the true grounds of things that are beſt preſerved in unitie when they grow out of the ſame roote, then if ſuch Vniverſities and Innes of Court

as are propoſed ſhould be granted. All which wee humbly ſubmit to your Majeſties moſt pious and prudent Conſideration and Iudgement.

8. We humbly conceive that the Roman Catholicks Natives in *Ireland* may have the like offices, and places as the Roman Catholickes Natives of *England* here have, and not otherwiſe. Howbeit we conceive that in the generallity they have not deſerved ſomuch by their late rebellion. Therefore we ſee not why they ſhould be endowed with any new or further capacity or priviledges then they have by the Lawes, and ſtatutes now in force in that Kingdome.

9. Wee know no oppreſſion by reaſon of the Court of Wards, and wee humbly conceive that the Court of wards is of great uſe for the rayſing of your Majeſties revenues, the preſervation of your Maieſties Tennures, and chiefly the education of the Gentry in the proteſtant Religion, and civilitie of learning, and good manners who otherwiſe would bee brought up in ignorance, & barbariſme, their eſtats be ruyned by their kindred, and friends, and continue their dependance on the chiefe Lords to the great preiudice of your Maieſties ſervice and proteſtant ſubiects, and there being no colour of exception to your Maieſties iuſt Title to wardſhips, we know not why the taking away of Court concerning the ſame ſhould be ſo preſſed, unleſſe it be to prevent the education of the Lords and Gentry that fall-wards in the proteſtant religion, For that part of this propoſition which concernes reſpit of homage, we humbly conceive it reaſonable that ſome way may be ſetled for this, if it ſtands with your Maieſties good pleaſure, without preiudice to your Maieſty, or your proteſtant ſubiects.

10. Wee humbly conceive that in the yeare 1641. by the graces which your Majeſtie then granted to your ſubjects of Ireland, the matter of this propoſition was in a faire way regulated by your utter aboliſhing of blancke proxies, & limitting Lords preſent, and attending in the Parliament of Ireland that no one of them ſhould be capable of more proxies then two, and preſcribing the Peeres of that Kingdome not there reſident

resident to purchase fitting proportions of land in Ireland within five yeares from the last of July 1641. or else to loose votes till they should make such purchase: which purchase by reason of the troubles happening in that Kingdome, & which have continued for two yeares, and a halfe, have not peradventure yet beene made. And therefore your Majestie may now bee pleased, and may take just occasion to inlarge the time, when that Kingdome may againe be setled in a happy and firme peace: And as to members of the house of Commons the same is most fit as wee humbly conceive to be regulated by the Lawes, and Statutes of that Kingdome.

12. This proposition concernes your Majesties high Court of Parliament both of England and Ireland, and is beyond our abilities who are not acquainted with the Records, and presidents of this nature to give an answer unto, and therefore Wee humbly desire your Majesties pardon for not answering unto the same.

21. The Councell-Table hath alwayes exercised Iurisdiction in some cases yet since the English government was setled in that Kingdome, and is of so long continuance in cases of some natures, as the beginning thereof appeareth not, which seemeth to bee by prescription and hath alwayes beene armed with power to examen upon oath as a Court of Iustice, or in nature of a Court of Iustice in cases of some natures, and may bee very necessary still in many Cases, especially for the present, till your Majesties Lawes may more generally be received in that Kingdome: And wee conceive that Board is so well limitted by printed Instructions in your Majesties Royall fathers, and by your Majesties Grace in the seventeenth yeare of your Raigne, that it needeth for the present little, or no further regulating at all: Howbeit they humbly referre unto your Majesties great wisdome, and goodnesse to doe therein, as to Law and Iustice shall appertaine.

13. The matter of this proposition is setled in a fitting and good way by your Majestie already, as wee conceive amongst the Graces granted by your Majestie to your people

of Ireland in the seventeenth yeare of your Raigne, to which we humbly referre our selves.

14. Wee humbly conceive that this proposition tendeth to lay a false and scandalous aspersion upon your Majesties gracious government over Ireland: And that it trencheth very high upon your Wisdome, Iustice, and Power, & under colour of supposed corruptions pretended to bee in the greatest Officer that commandeth under your Majestie there, if hee continue so long in his governement as may well enable him to find out and discover the true state of that Kingdome, and the dangerous dispositions and designes of the Popish partie there, to prevent him therein; and to turne him out from doing service before, or as soone, as hee is throughly informed, and experienced how to doe the same, and then to hold him excluded so long that in all likelyhood hee shall not live to come to that place the second time, which wee humbly conceive will bee a great discouragement to any person of honour and fortune to serve your Majestie in that high trust: And for the purchasing lands in that Kingdome, your Majestie may bee pleased to leave them to the Lawes, and punish them severely if they commit any offence, or exercise any oppositions under colour of purchasing of any lands or estates whatsoever.

15. The having of trained bands in Ireland for the present cannot under favour be for your Majesties service or the safetie of that Kingdome: For that the Protestants by the sad effects of the late Rebellion are so much destroyed that the said bands must consist in effect altogether of the Confederate Catholicks, and to continue them in armes stored with ammunition, and made ready for service by mustering, and often training, will prove under colour of advancing your Majesties service against forraigne invasion, a meere guard and power over popish forces always in readinesse to protect the Popish Confederates, and by force, and Armes according to their late oath and protestations to execute all their cruell designes for extirpation of the Protestant Religion and English Governement both which they mortally hate; Howsoever in cunning

ning they diſſemble it, and to prevent the ſetling an armie of good Proteſtants, without which your Maieſties good ſubiects cannot live ſecurely there.

16. Wee humbly pray, that the Lawes of force bee taken into conſideration, And doe humbly conceive that your Maieſtie in honour and Iuſtice may forbeare to diſcharge, or releaſe any actions, ſuites, debts, or intereſts whereby your Maieſties proteſtant ſubiects who have committed no offence againſt your Maieſtie or your Lawes ſhould be barred or deprived of any of their legall remedies or iuſt demands which by any of your Maieſties Lawes and ſtatutes they may have againſt the popiſh Confederates (who are the onely delinquents) or any of their party for or in reſpect of any wrongs done unto them, or any their anceſtors, or predeceſſors, in or concerning their Lands, goods, or eſtates ſince the contryving or breaking forth of the rebellion, The ſaid Confederates having without provocation ſhed ſo much innocent bloud, and acted ſo many cruelties as cannot be parralleled in any ſtorie, And we conceive it to be high preſumption in them upon ſo weake grounds to propound an act of oblivion in ſuch generall termes, ſome of the Confederates having beene contryvers or actors of ſuch cruell murders and other acts of inhumanitie as cry to God, and your Sacred Maieſtie for Iuſtice, And they having of your Maieſties Revenues, cuſtomes, ſubſidies and other rights of your Crowne in their hands or deſtroyed by them to the value of twenty hundred thouſand pounds and more.

17. We conceive this propoſition is made but for a floriſh, & if the Confederates be ſo deſirous to try their innocencie as they pretend they need not ſtay for another Parliament in *Ireland*, but ſubmit to that which is now in being, which is an equall and iuſt Parliament, as in ſome of your reaſons touching that point is expreſſed, and they offering to draw it to a new Parliament, is in effect to deſire that they may be their owne Iudges, for as that Kingdome is now imbroyled and waſted, the chiefe delinquents, or Confederates will be ſo prevalent a faction in the next Parliament, that they will

be able, and doubtleſſe will cleere all the popiſh party how guilty ſoever, and condemne all the proteſtants how innocent ſoever.

Theſe anſwers to the high, and unexpected demands of the Confederates, we have framed in humble obedience, to your Maieſties directions, but being very ſenſible as of the weight and great importance of the buſineſſe ſo alſo of our owne weakeneſſe and want of time, and well knowing that ſome of your Privy Counſellors, Iudges, and Officers of that Kingdome are now in Towne ſent for over, and here attending by your Maieſties command, who by their long obſervation and experience of the affaires and ſtate of *Ireland*, are better able to give your Maieſtie more full and ſatisfactory anſwers touching the premiſſes then we can, And conceiving that the Collections in Anſwer to the ſaid Confederates Remonſtrance, which wee humbly preſented to your Maieſty the 27. of the laſt moneth of *April*, may in many things give your Maieſty more light then theſe our anſwers doe or can. Wee humbly beſeech your Maieſty that the ſaid privy Counſellors, Iudges, and Officers as occaſion ſhall require may bee called upon and heard to give your Maieſty the better ſatisfaction in theſe particulars, and that to the ſame purpoſe the Booke of the ſaid Collections may be peruſed, and conſidered of, as your Maieſtie ſhall finde moſt requiſit.

The

The humble petition of divers of your Maieſties Proteſtant ſubiects in your Kingdome of Ireland, as well Commanders of your Maieſties Army here, as others whoſe names are ſubſcribed in the behalfe of themſelves, and other your Proteſtant ſubiects in this your Kingdome.

To the Kings moſt Excellent Majeſtie.

SHeweth, that this your Highneſſe Kingdome, reduced with a vaſt expence of treaſure, and much effuſion of Britiſh blood, to the obedience of the Imperiall Crowne of England, hath been by the Princely care of your progenitors, eſpecially of Queene Elizabeth, and of your Royall Father of ever bleſſed memory, and your ſacred Majeſty in many parts happily planted; great ſummes of moneyes diſburſed in building and improvements, Churches edified, and endowed, and frequented with multitudes of Proteſtants, and your Cuſtome, and revenues raiſed to great yearely ſummes, by the induſtry of your Proteſtant ſubiects eſpecially, and great ſummes of money by way of ſubſidies, and contributions cheerfully payed unto your Majeſtie by your ſaid ſubiects, in which happineſſe this your Kingdome hath flouriſhed in a long continued peace, and under your highneſſe moſt glorious, and happy government, untill that by the preſent generall rebellion and conſpiracy, raiſed out of deteſtation of your bleſſed Government, and for the rooting out of the Proteſtant Religion, and ſofor the diſpoſſeſſing of your Majeſty of thu your ſaid Kingdome, without the leaſt occaſion offered by your Majeſty or the Proteſtant ſubiects; And notwithſtanding that your Majeſty immediatly before had enlarged beyond preſident your Royall favour and bounty to them in granting all that their and our joint Agents did deſire of your Majeſty, and wee continuing amongſt them in all love and amity without diſtruſt your petitioners and others who labourred to oppoſe thoſe damnable

damnable designes and practices have been driven from their dwellings, estates, and fortunes, their houses, and Churches, burnt, and demolished, all monuments of civility utterly defaced, your Majesties Forts and places of defence throwne downe, and the Common, and statute lawes of this your Kingdome utterly confounded, by taking on themselves the exercise of all manner of authorities, and Iurisdictions Ecclesiasticall and Civill, both by land and sea, proper and particular to your sacred Majesty being your just prerogatives, and the Royall flowers of your Imperiall Diademe, to the diminution of your Crowne, and your royall revenues brought to nothing; And the Protestant Clergie with their Revenues, and support for the present destroyed. This your Kingdome in all parts formerly inhabited by British Protestants now depopulated of them, and many thousands of your Protestant most barbarously used, stripped naked, tortured, famished, hanged, buried alive, drowned, and otherwise (by all barbarous cruell sorts of death) muthered, and such as yet remaine alive of them are reduced to that extremity, that very few of them have wherewithall to maintaine a being; And all of them so terrified and afflicted, with those barbarous and inhuman cruelties, the true reports whereof being now spread abroad into the Christian world, your suppliants conceives feares your Majesties British subjects will be discouraged from coming againe to inhabite this Kingdome; And the remnant of the British left here will bee forced to depart; All this being done by the Conspiracy of the Papists who did publickely declare the utter extirpation of the Protestant Religion and all the British professors thereof out of this your Majesties Kingdome, and to the end this may the better in some measure appeare, your suppliants have made choice of Captaine M. William Ridgeway, Sir Francis Hamilton Knight and Barronet, Captaine Michael Iones, and M. Fenton Parsons whom they have imployed and authorized as their Agents, to manifest the truth thereof, in such particulars as for the present they are furnished withall, referring the more ample manifestation thereof to the said Captaine M. William Ridgeway, Sir Francis Hamilton, Captaine Iones, and Fenton Parsons, or any three or more of them, and such other Agents as shall with all convenient speed bee sent as occasion shall require to attend your Majesty from the Protestant subjects of the severall Provinces of this your Kingdome.

VVee therefore your Majesties most humble, loyall and obedient Pro-

Proteſtant ſubiects caſting downe our ſelves at your Royall feete, and flying to you for ſuccour and redreſſe in our great calamity as our moſt gracious Soveraigne Lord and King, and next and immediatly under Almighty God our protector and defender, moſt humbly beſeeching your Sacred Majeſtie to admit into your Royall preſence from time to time our ſaid Agents, and in your great wiſedome to take into your Princely care, and conſideration the diſtreſſed eſtates and humble deſires of your ſaid ſubiects, for that the glory of God your Maieſties honour, and the happineſſe of your good ſubiects the Proteſtant Religion may be reſtored through the whole Kingdome to its luſter, and the loſſes of your Proteſtant ſubiects may be repayred in ſuch manner, and meaſure as your Maieſtie in your Princely wiſedome ſhall thinke fit, and that this your Kingdome may be ſo ſetled as that your ſaid Proteſtant ſubiects may hereafter live therein under the happy government of your Maieſtie and your Royall poſteritie, with comfort and ſecuritie, whereby your Maieſtie will render your ſelfe throughout the whole world a moſt iuſt and glorious defender of the Proteſtant Religion, and draw downe a bleſſing on all other your Royall undertakings for which your Petitioners will ever pray, &c.

A liſt of the names of thoſe who have underwritten their names to this petition.

George Kildare.
Montgomerye.
H. Blany.
VV. Ridgeway.
Ia. Montgomery.
Cha. Coote.
Fra. Hamilton.
Arthur Forbis.
Robert Han'y.
Fra. Slinsby.
VVilliam Colley.
Arthur Blundell.
Ia. Dunbar.
Ed Powey.
Tho. Meredith.
Arthur Loftus.
VVilliam Vsher.
Geo. Monke.
Francis VVilloughby.
Robert Sterling.
Io. Morris.
Henry Iones.
Io. Piggot.
Robert Bayly.
Fra. Moore.
Ed Philpot.
VV. Parſons Iunior.
Arthur Culme.
Eraſmus Burrowes.
Io. Edgeworth.
VVilliam Dodwell.
Io. Newman.
VVilliam Plunket.
Io Ferrar.
Io. Cliffe.
Peter VVybrants.

Theod.

Theod. Scout.
Brean Stapleton.
Da. Dunbar.
Tho Nill.
Geo. Lawnder.
Hen. Tillier.
Hugh Coghran,
VVilliam Gilbert.
VVilliam Montgomery.
Ia. Calvill.
VVilliam Iohnson.
Geo. Montgomery.
Robert VVhitfield.
Io. Lombell.
Hugh Montgomery.
Io Rayvan.
Iosua VVheeler.
Arch Hamilton.
VVilliam VVhite.
VVilliam Piggot.
Tho. Tully.
Roger Atkinson,
Nich. Simpson,
Oli VVheeler.
VVilliam Alery.
Adam Meredith.
Tho. Coote.
Edw Piggot.
Ia. Dercaile.
Geo Boothe.
VVilliam Knight.
Robert Sanderson.
Ia. Starling.

An. Dopping.
Radcliffe Duckinfield.
VVilliam Lucas.
Tho. Leigh,
Dan. Hester.
Robert Percivall.
Ia. Crawford.
Stephen Allen.
VVilliam Anberry.
Iohn Doyle.
Edw. Spring.
Io. Iohnson.
Tho. Almer.
Io Hoy.
Robert Kennedy.
Cooley P[illegible].
Robert Cole.
Robert Stewart.
Tho. VVhite.
Pat. Connemag.
Dudley Colley.
Nic Pinnar.
Sa Mullinax.
Ia. Kennedy.
Hen. Kenney.
VVilliam Hamilton.
VVilliam Billing.
VVilliam Vmphry.
Hugh Ionne.
Io. Leight.
Andr Brereton.
Io Clerke.
Roger Holland.

Io. Sherring.
Mar. Higginson.
Io. VValler.
Iohanth Holt.
Edw. Fisher Capt.
Tho. Lowton.
Tho. Munley.
Ios. Holt.
Io. Comberlege.
And. Cumble.
Geo. Chibaldist[illegible]
Io. Roe.
Pra Barfor.
Nath. Stoug[illegible]
VVill. Bodington.
And. I[illegible]g.
Edw. Barton.
Io. Pinrose.
VVill. Richardson.
Robert Masson.
VVilliam Heward.
Ia. VVoodcocke.
And. VVatson.
Robert Iones.
VVilliam Tedder.
And. Iones.
Robert Boyer.
VVilliam Medcalfe.
Iona. Costie.
VVilliam Sands.
Natha. Foster.
Io. Field.
VValter Fraster.

His

UNIVERSITY LIBRARY CAMBRIDGE Thorn. BRADSHAW COLL.

His Majesties answer, to the propositions of the Roman Catholicks of Ireland.

CConcerning any thing in Religion, his Majesties answer is, That as the Lawes against those of the Romish Religion, within that his Kingdome of Ireland have never been executed with any rigour or severity: So if such his subjects shall by returning to their duty and loyalty, merit his Majesties favour and protection, they shall not for the future have cause to complaine, that lesse moderation is used towards them, then hath been in the most favorable of Queene *Elizabeth* and King *Iames* his times: Provided that under pretence of Conscience, they doe not stirre up sedition but live quietly and peaceably according to their Allegiance.

2. Touching the calling a free Parliament (by which his Majestie supposes the proposers intend a new Parliament) his Majestie sayes he

could wiſh, that all the particulars might bee fully agreed on, and ratified this Parliament; his Majeſtie well underſtanding that his Proteſtant ſubjects may bee in farre greater danger in a new Parliament then the propoſers and their Party can bee in this, his Majeſtie being willing to give them any ſecurity that can bee deſired againſt their apprehenſions; however ſince ſome objections and doubts are raiſed of the legall continuance of this Parliament ſince the death of the Lord Deputy *VVansford*, and by the late arrivall of his Majeſties Commiſſion, after the day of meeting upon the prorogation (though thoſe doubts may bee eaſily ſolved) his Majeſtie is content to call a new Parliament, upon condition, that all particulars bee firſt agreed on, and the Acts to be paſſed bee firſt tranſmitted, according to cuſtome (for his Majeſtie will by no meanes conſent the ſuſpenſion of *Poynings* Act) and the propoſers giving his Majeſtie ſecurity, that there ſhall be no attempt in that Parliament to paſſe any other Act, then what is agreed on, & firſt tranſmitted; or to bring any other prejudice to any of his Majeſties Proteſtant ſubjects there.

3. His

3. His Majeſtie neither can nor will declare Acts in themſelves lawfull to bee voyd, but is content that neither the Propoſers, nor their party ſhall ſuffer any pejudice by any Acts or Ordinances paſſed, ſince the time in that propoſition mentioned, by reaſon of this commotion: And for that end ſhall give his full concurrence.

4. The matters of the foure, five and ſixteenth Propoſitions are to bee digeſted into an Act of Oblivion, in which his Majeſtie will admit any Clauſes to enlarge his mercy: but will not by declaring Indictments legally taken & regularly proſecuted to be voyd, give any countenance to, or make any excuſe for the preſent Rebellion: which would be a great prejudice to truth, and to the future ſecurity of that Kingdome. And therefore His Majeſtie is content to grant a full and generall Pardon to all perſons whatſoever within that his Kingdome (except for all Treaſons, Rebellion, or other crimes whatſoever, growing or ariſing from or by reaſon of the ſaid Rebellion) & will likewiſe give his conſent to ſuch an Act of Oblivion as ſhall be prepared & tranſmitted to him

by the adviſe of his Lord Lieutenant & Councell of Ireland, who are fitteſt to conſider in what ſtate debts are to bee left: and particular actions and remedies to bee waved: in which His Majeſtie for the peace of the Kingdome will bee content to releaſe what concernes himſelfe.

6. When all particulars ſhall bee agreed on, and faithfully executed on the parts of the Propoſers, his Majeſtie (expecting a juſt acknowledgement of his bountie, as well knowing that he parts with very much, to which hee hath a legall and undoubted title) is content to releaſe and quit his right to all ſuch lands in the Counties mentioned (except within the Countyes of Kilkenny and Wickloe) upon the tearmes formerly aſſented by his Majeſtie in his Anſwer to the grievances in the ſeventeenth yeare of his Raigne, and will conſent to ſuch an Act of limitations as is deſired.

7. When all other things ſhall bee concluded, his Majeſtie will conſent to an Act for the taking away any incapacity, as Natives, either to lands or offices, if any ſuch there bee: And will willingly conſent to the

erecting

erecting an Innes of Court, Vniverſity, or free-ſchooles, provided that they bee governed by ſuch Statutes, and Orders, as His Majeſtie ſhall approve, and agreable to the Cuſtome of this Kingdome.

8. Such of His *Majeſties* ſubjects of the Romiſh Religion within that *Kingdome*, as ſhall manifeſt their dutie and Affection to His *Majeſtie*, ſhall receive ſuch marks of His *Majeſties* favour in offices and places of truſt, as ſhall manifeſt His *Majeſties* good acceptance and regard of them.

9. His *Majeſtie* will take care, that his good ſubjects of that *Kingdome* ſhall not be oppreſſed by his Court of Wards, and if oppreſſions of that kind have been, upon good and due information, His *Majeſtie* will cauſe Iuſtice to be done for the time paſt; and for the future will prevent the like by Inſtructions. But for the taking away of that Court, His Majeſtie can make no anſwer, till the particulars for his ſatisfaction bee ſet downe, and preſented to him.

10. His Majeſtie conſented as farre as is fit for him in this Point, in his anſwer to

the

the five and twentieth grievance, in the seventeenth yeare of his Raigne; the which he is ſtill willing ſhall bee enacted, looking forward ſtill to five yeares, to begin after the peace concluded.

11. His Majeſtie conceives the ſubſtance of this Propoſition (which concernes the fundamentall Rights of both Kingdomes) fit to bee referred to the free debate and expoſtulation of the two parliaments, when it ſhall pleaſe God that they may freely and ſafely ſit, His Majeſtie being ſo equally concerned in the priviledges of either, that hee will take care to the utmoſt of his power, that they ſhall both conteine themſelves within their proper limitts: his Majeſtie being the Head, and equally intereſſed in the Rights of both parliaments.

12. This is ſufficiently provided for in his Majeſties Anſwer to the tenth grievance, which hee is content ſhall paſſe.

13. Since it appeares by long experience that theſe Lawes have not produced that good effect for which they were made, his Majeſtie was graciouſly pleaſed by his late Graces,

that

that thoſe Statutes ſhould bee repealed, ſave onely for woolls and woollfells: and will obſerve the ſame reſolution: And a Booke of rates ſhall bee ſetled by an indifferent Committee.

14. His Majeſtie doth not admit that the long continuance of the Chiefe Governor of that Kingdome in that place, hath been an occaſion of much tyranny and oppreſſion, or that any tyranny, or oppreſſion hath been exerciſed upon his ſubjects in that Kingdome: However his Maieſtie will take care, that ſuch Governors, ſhall not continue longer in choſe places, then hee ſhall find for the good of his people there: and is content that they ſhall bee inhibited to make any purchaſe (other then by leaſe, for the proviſion of their Houſes) during the ſpace of their Goverment, in ſuch manner as is deſired.

15. This propoſition is to be explayned, and ſome particular wayes to bee propoſed to his Maieſtie for the doing thereof: And then his Maieſtie upon due conſideration of the ſafety and ſecurity of his Proteſtant

ſtant Subiects, will returne his Anſwer.

16. Anſwered in the fourth and fifth.

17. Such perſons who ſhall be excepted out of the Act of Oblivion, ſhall beetryed by the knowne Lawes of the Land.

The

The Answer of IAMES *Marques of Ormond His Majesties Commissioner, for the treaty, and concluding of a Peace in this Kingdome, for and in the name and behalfe of His Majestie to the Propositions of His Roman Catholicke subjects of Ireland.*

WHen all the particular demands made on the behalfe of his Majestie, the Church, and his Majesties Protestant subjects, and their party shall be concluded, his Maiestie will bee graciously pleased on his part, to agree to the particulars hereafter expressed *viz.*

1. To the first proposition, his Majestie will bee graciously pleased, if his said Roman Catholicke subjects shall by their obedience, and loyaltie merit his Majesties favour and protection, that they shall not for the future have cause to complaine, that lesse moderation is used towards them then hath been in the most favourable of Queene *Elizabeth*, & King *Iames* his times; But his Maiestie for divers waighty

 consídera-

conſiderations will further adviſe, before hee conſent to the repeale of any the Acts, intended by the ſaid Propoſition.

2. To the ſecond, his Majeſtie will bee graciouſly pleaſed to call a new Parliament upon condition, that all particulars therein to bee paſſed by act of Parliament, be firſt agreed on, betweene us his Majeſties Commiſſioner, and *Donogh* Lord Viſcount *Muskery*, *Alexander mac Donell*, and *Nicholas Plunket* Eſquiers, Sir *Robert Talbot* Baronet, *Dermot O Brien*, *Patricke Darcy*, *Geffrey Browne*, and *Iohn Dillon* Eſquiers, or any five or more of them, who are deputed by his ſaid Roman Catholicke ſubjects, to treate with Vs about the ſame: And the ſaid Acts ſo agreed upon bee tranſmitted according to ſeverall acts of parliament in that behalfe provided, And that there ſhall be no attempt by his Majeſties Roman Catholicke ſubjects in that parliament to paſſe any other act, then what is agreed upon as aforeſaid and firſt tranſmitted, or to bring any other prejudice to any of his maieſties proteſtant ſubiects in this kingdome: And if any thing ſhall be attempted in the ſaid parliament to the contrarie, that then his maieſties Lieutenant, or other Chiefe Governor, or Governors, before whom the ſaid parliament

ment shall be holden, shall forthwith after such attempt, dissolve the said Parliament without expecting any further direction from his Majestie for the same; But his Majestie for divers waightie considerations, will bee further advised, before that he doe consent to the suspension of *Poynings* Act.

3. To the third, his Majestie will be graciously pleased that none of his said Roman Catholicke subjects, shall suffer any prejudice by any Acts or Ordinances passed in this present Parliament since the time in the Proposition mentioned, by reason of the present commotion, but his Majestie cannot legally declare Acts or Ordinances made in Parliament which are in themselves lawfull; to be voyde, nor give warrant to take them off the file.

4. To the fourth his Majestie cannot in course of Iustice, by his Proclamation declare indictments, attaintures, out-lawries, Letters-patents, Grants, Leases, Bonds, Recognizances, or any other legall record to be voyde, or taken off the file; But his Majestie will be graciously pleased to grant a full and Generall pardon, to all persons whatsoever, excepting such as hereafter upon this treaty, shall be thought fit to be left therr out, for all Treasons, rebellions and

other crimes whatsoever, growing and arising for or by reason of the same. And will likewise give his consent, that an act be passed to that purpose, in which his Majestie will admit any clauses to enlarge his mercy. And his Majestie will be further graciously pleased to determine all custodiums which have beene granted since the 22. of *October* 1641.

5. To the fift proposition his Majesty cannot in Iustice consent to the taking away of any debts due to his subjects, who have committed no offence which might occasion the forfeyture thereof, But for such debts as have accrued unto his Majestie by the attaynture or fugacie of any of his Majesties Roman Catholicke subjects since the 23. of October 1641. His Majestie will be graciously pleased to remit so many of them, as have not been payed into his Majesties Exchequer or received otherwise to his Maiesties use, or by his appointment.

6. To the sixt proposition his Maiesty will be graciously pleased to release and quite his right to all such lands in the said proposition mentioned, except within the Counties of Kilkenny and Wickloe, upon the Termes formerly assented unto by his Maiestie in his answer to the grievances in the 17. yeare of his raigne, and

will

will consent to such an act of limitation, as is desired.

7. To the seventh his Maiesty will be graciously pleased to consent to an act, for the taking away any incapacitie as Natives, eyther to lands or offices, if any such there be, and will willingly consent to the erecting of an Innes of Court, Vniversitty or free-schooles, Provided that they be governed by such statutes, rules, and orders, as his Maiesty shall approve, and be agreable to the Cuſtomes of England.

8. To the eight his Maiesty will be graciously pleased that such of his Maiesties said subiects within this kingdome as shall manifest their dutie and affection to his maiesty shall receive such markes of his Maiesties favour in offices and places of trust, as shall manifest his Maiesties good acceptance, and regarde of them.

9. To the ninth propoſition, his Maiestie will take care, that his good subiects of this kingdome shall not be oppressed by his Court of Wards, And if oppressions of that kinde have beene upon good and due information, his Maiesty will cause Iustice to be done for the time past, and for the future will prevent the like by instructions. But for the taking away

of

of that Court, his Majesty can make no answer, till the particulars for his satisfaction bee set downe and presented unto him.

10. To the tenth Proposition, his Majestie consented as farre as is fit for him in this point, in his answer to the 25 grievance, in the seventeenth yeare of his raigne, the which hee is still willing shalbe enacted, looking forwards still to five yeares, to begin after the peace concluded.

11. To the eleventh Proposition his Majesty conceives the substance of this Proposition (which concerneth the fundamentall rights of both kingdomes) fit to bee referred to the free debate and expostulation of the two Parliaments, when it shall please God, that they may freely and safely sit his Majesty being so equally concerned in the priviledges of eyther, that he will take care to the uttermost of his power, that they shall both containe themselves within their proper limits, his Majestie being the head and equally concerned in the rights of both.

12. To the twelfth his Majestie hath sufficiently provided for this, in his answer to the tenth grievance, which his Majestie is content shall passe by act of parliament.

13. To the thirteenth proposition his Majesty

ſty hath beene pleaſed by his late Graces that thoſe ſtatutes ſhould be repealed, ſave onely for Wools and wool-fels, And is well pleaſed, that the ſame be done by act of parliament, and that a Booke of Rates be ſetled by indifferent Commiſſioners.

14. To the foureteenth propoſition his Majeſtie doth not admit or beleeve, that the long continuance of the chiefe Governors of this kingdome in their places of government, hath beene an occaſion of any tyrany or oppreſſion, or that any tyrany or oppreſſion hath beene exerciſed upon his ſubjects of this his kingdome, howſoever his Majeſty will be graciouſly pleaſed to take care, that ſuch Governors ſhall not continue longer in thoſe places, then he ſhall finde for the good of his people here. And his Majeſtie is content, that they ſhall bee inhibited to make any purchaſe, other then by Leaſe for the proviſion of their houſes during the time of their government.

15. To the fifteenth Propoſition, this propoſition is to be explaned, and ſome particular way to be propoſed for the doing thereof, And then conſideration being had of the ſafety and ſecuritie of his Majeſties proteſtant ſubjects, an anſwer will be made therevnto.

16. To

16. To the ſixteenth propoſition, his Majeſtie cannot in Iuſtice to the foreclofing of the ſubject of his legall remedy, for the recoverie of any goods, chattels, or rents, unlawfully taken or detayned from him. But for ſuch meane profits, Cuſtomes, prizes, and Rents, which have accrued unto his Majeſty ſince the 23 of Octob. 1641. except the Cuſtomes received at *Waterford* and *Roſſe* ſince the 15. of *September* 1643. His Majeſtie is content to remit the ſame, the reſt of the propoſition is anſwered in the anſwer to the fourth propoſition.

17. To the ſeventeenth, his Majeſty will be pleaſed, that ſuch perſons as ſhall bee excepted out of the generall pardon ſhalbe tryed by the knowne Lawes of this Land.

The Lord Marques of *Ormond* now declares that albeit theſe anſwers are thus given by him in preſent to the ſaid propoſitions, yet that hee intends not to be thereby concluded, from altering the ſame, or adding thereunto in any parts thereof, in ſuch ſort as he ſhall finde cauſe upon further debate.

Some

Some of the reaſons which moved His Maieſties moſt humble and loyall Subiects the Confederate Roman Catholicks of Ireland to preſent certaine Propoſitions to His Excellencie the Lord Marques of Ormond, Lord Lieutenant of Ireland, His Maieſties Commiſſioner.

THe firſt Propoſition that concerneth the freedome of the Catholicke Religion, and the repeale of all Lawes made againſt the profeſſors of that Religion, is a demaund, not in favour of any innovation, but for that Religion which the Inhabitants of this Kingdome anciently, and likewiſe the Engliſh Colonies come at firſt into this Land, and their heires for many deſcents have profeſſed, and doe profeſſe at the preſent, and which before the raigne of King *Henry* the *VIII.* was profeſſed by the Kings of *England*, and their ſubiects generally. And it may be further added, and confidently affirmed, that there are no ſubiects in the world of what other beleefe or profeſſion ſoever in Religion, that held themſelves ſo inviolably tyed to the preſervation of that monarchy, to whom they owe ſubjection, and allegeance, as the profeſſors of the ſaid Roman Catholicke Religion.

This propoſition conſiſteth of two branches, the firſt for the repeale of certaine acts, the ſecond that the freedome of their Religion may bee allowed to the ſaid Catholickes. For the cleering of the firſt branch, the ſaid Catholickes doe not preſſe the totall repeale of the ſaid ſtatutes, their humble requeſt being, that the great penalties, preſſures, incapacities, and other unavoidable inconveniences by the ſaid ſtatutes impoſed on

them alone, may be removed as to them by act of Parliament. By one ſtatute found among the Records of Parliament of this kingdome in the ſecond yeare of the raigne of the late Queene *Elizabeth cap.* 1. *&* 2. the ſaid Catholickes are made ſubiect to the arbitrary power of an high Commiſſion Court, or other Commiſſioners to be appointed by his Maieſty, or the Lord Deputie for the time being, & may be queſtioned, & puniſhed for all offences touching Religion. *Irish ſtatutes fol.* 261. likewiſe *fol.* 270. and 271. the Archbiſhops, Biſhops, and Ordinaries of another Religion have heavily puniſhed, and may ſtill puniſh the ſaid Catholickes for Marriages, Chriſtenings done according to the Catholicke Religion, and every Catholicke was driven to pay nine penee every Sunday for not repayring to Church, to the great impoveriſhment and deſtruction of the ſaid Catholickes, and no profit at all to his Maieſty.

By the ſaid ſtatute, *fol.* 261. and 262. not onely the Catholicke Clergie, are excluded from all dignities & benefices Eccleſiaſticall, but likewiſe the Catholicke Laytie of all degrees and qualities, are rendred incapable of all Civill offices, from the higheſt judge to the petty Cõſtable, & likewiſe from Martiall offices or imployments, even to be a common Souldier in his Maieſties army, where any fee or wages are due, without firſt taking the oath of ſupremacie; & upon refuſall of the ſaid oath all dignities, offices, or wages are forfeyted.

No Catholicke can ſue *Livery* or *Ouſter le maine* for his eſtate or any part thereof out of his Maieſties hands without taking the ſaid oath by the ſame ſtatute of 2 *Eliz. ab. cap.* 1 *fol.* 265. *a.* If any Catholicke of what eſtate, degree, or qualitie ſoever within this kingdome doe by writing, printing, teaching, preaching, expreſſe words, deede or act, affirme, hold, ſtand with, ſet forth, and maintayne any other authority, preheminence, power, or iuriſdiction in matters Eccleſiaſticall or Spirituall, then the perſon ſo offending his abbettors, ayders, promovers, and counſellers, ſhall for the firſt offence, forfeyte their goods and Leaſes, and ſuffer impriſonment for one yeare, for the ſecond offence incurre the paines and forfeytures ſet downe by the ſtatutes of *Proviſion* and *Præmunire* whereby the offender is

put

put out of the Kings protection, impriſoned during his life, and his goods and lands forfeyted: For the third offence the offender is puniſhable as in caſe of high Treaſon.

Then by conſequence if any of the Catholicke Laytie take or procure a diſpenſation for mariage within the eight degree, or any other licence or diſpẽſation from any authoriſed by the See of *Rome*, is a principall offender, and if he heares the Maſſe or Sermon of any deriving power from thence, and keep him in his houſe, he is puniſhable as an ayder and abbettor within the words of the ſtatute, he knowing that whereof he cannot be ignorant by the rules of his profeſſion.

As for the ſecond branch of the ſaid propoſition let any man iudge, whether it be reaſon ſufficient of it ſelfe, that the profeſſors of the Roman Catholicke Religion both ſpirituall and temporall, being to a few the Natives and reſidents of this kingdome ſhould deſire a freedome of their Religion, and to be freed and exempted from the penalties, and preſſures aforeſaid, whereby his Maieſty never received any advantage, and have beene the occaſion of many inconveniences in the kingdome.

And it is evident that by this freedome all his Maieſties good ſubiects aſwell Proteſtants as Catholickes will bee united more then ever before, when their condition is equall, and neyther partie have occaſion to envy or oppreſſe the other.

It will not be unworthy of conſideration, that in reaſon of ſtate (the conſtitution of his Maieſties three kingdomes as now they ſtand being duely weighed) that this freedome, and exemption is moſt neceſſarie for his Maieſties ſervice and ſafetie.

2. It is of the eſſence of Parliaments to be free, the contrary was practiſed here; The compoſition of this Parliament is deſired to be of men eſtated and intereſted in the kingdome, of genuyne and right members, and to bee returned from proper places, and by right miniſters.

The ſuſpenſion of the act for this free Parliament cannot preiudice his Maieſty, for that nothing is to paſſe as an act before tranſmiſſion, other then what ſhall bee agreed upon

and expreſſy mentioned in the Articles of peace.

3. It is conceived this pretended Parliament was determined by the death of the Lord Deputy *VVandesford*, moſt of the eſtated and right members thereof did not appeare in it ſince the 7. of *Auguſt* 1641. thoſe who now appeare as members thereof *viz.* of the Commons-houſe, are for a great part not much intereſſed and other wholy unintereſſed therein, and one order therein made to exclude the ſaid Catholicks from the houſe, other orders to their diſadvantage were and or might have beene made in the ſaid Commons-houſe. Therefore it is deſired that all the proceedings of the ſaid pretended Parliament may be declared voyde and taken of the file.

4. When thoſe indictments were found & outlawries promulged, the ſaid Catholickes are informed, and hope to iuſtifie that thoſe who governed in this kingdome, or ſome of them, did plot and practiſe the totall extirpation of the ſaid Catholicks, & aſmuch as in them lay did encreaſe the troubles to that end, and ſhute up the gates of his Maieſties mercie againſt the ſaid catholickes, even againſt thoſe who were undeniably innocent, as may appeare by many inſtances; the manner of appointing of Sheriffes, who returned the Iurors, & the perſons appointed, the Iurors condition & affection, the infinite numbers of the perſons indicted & outlawed, being never called to anſwer, & other circumſtances touching or depending of the ſaid Records, being ſo generally deſtructive to the ſaid Catholicks they cannot otherwiſe chooſe then to inſiſt on the taking them of from the file, that no ſuch markes of infamy may remayne of Record, againſt them whoſe anceſtors for the ſpace of foure hundred yeares and upwards, faithfully ſerved the Crowne.

5. This propoſition is ſo juſt and equall in it ſelfe, that there needeth not any reaſon or proofe to be urged for it.

6. This propoſition being yeelded into by the anſwer, except the late Plantations in the County of *VVicklow* and *Iduogh* in the county of *Kilkenny*, and excepting the encreaſe of Rents is referred to what ſhall bee urged upon the ſixt anſwer.

7. In all or moſt Letters-patents granted of Plantation Lands, and ſome other lands in this kingdome ſince the making of the ſaid ſtatutes, certaine clauſes and conditions were inſerted in them, that no land ſhould be ſold or paſt to any of the meere Iriſh or of the Iriſh Nation, as the cõdition is in ſome Patents, theſe clauſes doe & did nouriſh diviſion and diſtinction between his Maieſties ſubiects, the like was never uſed in *England*, nor in any other kingdome. They extend not only to the old Iriſh, but likewiſe by conſtruction to the old Engliſh, for he that is borne in *Ireland*, though his parents and all his anceſtors were Aliens, nay if his parents were *Indians* or *Turks* if converted to Chriſtianitie is an Iriſh-man as fully, as if his anceſtors were here borne for thouſands of yeares, and by the Lawes of *England* as capable of the liberties of a ſubiect, Such markes of diſtinction being the inſteps to trouble and warre are incompatible with peace and quiet.

8. The ſaid Roman Catholickes being rendred incapable of any command or truſt by the ſtatutes aforeſaid, may be relieved herein upon removall of the impediments mentioned in the reaſons for the firſt propoſition, and particular inſtances ſhewed for the preſent, yet ſuch were the Characters layed upon them here, and the repreſentations made of them from hence heretofore into *England*, that they apprehend they ſuffer thereby in his Majeſties opinion of them, which they conceive an impediment and ſtop to many graces and favours they expect and hope to merite from his Majeſtie.

In all ages paſt before the ſaid ſtatutes their anceſtors were preferred to places of eminence and truſt within their Native countries, and ſince very ſeldome, three preſidents ſince can hardly be inſtanced.

The condition of Roman Catholickes in *Ireland*, where there are an hundred Catholickes to one of any other Religion differs much from that of *England* or *Scotland*, where there is ſcarce one Catholicke to a thouſand of the proteſtant religion.

In all the Nations of Chriſtendome the Natives of the place are advanced before others.

9. The Court of Wards was begun here a bout the foure-

teenth

teenth yeare of King *James*, and never before: It hath not the warrant of any Law or ſtatute; In *England* it was erected by act of Parliament.

The ſubject is extreamely oppreſſed thereby by the multitude of informations againſt all freeholders from the higheſt to the loweſt without any limitation of time, the frequent Courts of *Eſcheaters* & *Feodaries*, the deſtruction of the *Tenures* of meſnes Lords by making many Tenures to be *In Capite* againſt Law; by the ſale of the wards from hand to hand, as of Horſes in a Market, by the want of Proviſion for portions of younger children, whereby they periſh or take ill courſes; debts remaine unſatisfied, and though by the ſtatute of *Merton cap.* 5. Vſurie doth not runne upon Infants, yet the Collaterall ſecurity eyther of men or Land mortgaged are not relieved by that ſtatute.

The King never received one ſhilling advantage by this Court *ultra repriſas*, for twenty ſhillings damage done thereby to his people, the vaſt fortunes of the officers and miniſters of the ſaid Court, how ſuddainely rayſed on the ruynes of many others his Majeſties ſubjects. And let all the wards ſince the erection of the Court be numbred, for one that gayned civilitie or breeding during their minority, many will be found to have departed the ſaid Court with ignorance, loſſe or impayring of their eſtates and other great inconveniences.

No diminution of his Majeſties profit is deſired, the perſonall ſervice upon all occaſions ſhall be performed. The extinction of this Court and of the Tenures *in capite* or by Knights ſervice is humbly deſired to be taken away, and a courſe for his Majeſties profit and ſervice and preſervation of Heires and Orphans, and ſatisfaction of Creditors ſhall be then humbly propoſed.

The reſpit and iſſues of homage being of no conſiderable advantage to the Crowne, and an intolerable yoke to the ſubject, is likewiſe deſired to be taken off, and a way of equall benefit to his Majeſty ſhall be propoſed.

10. The great number of theſe Lords unintereſſed in the kingdome, their ends in ſeeking for thoſe honours, and the late

late introduction of the example being conſidered; it may be eaſily judged how unequall or unjuſt it is that the votes of men of no eſtate and never reſident in the kingdome if not for deſigne, ſhould impoſe a charge wherein they contribute nothing, or put Lawes, by which they are not bound themſelves.

11. The independencie of the Parliament of *Ireland* of the Parliament of *England* is ſo cleere and manifeſt by Law, Iuſtice, uſage, and neceſſitie, that they humbly deſire it may not bee driven into diſpute, yet in as much as the Royall aſſent wreſted from his Majeſtie to the acts of ſubſcription may draw a preiudice or diſcountenance upon our Parliament, a declaration herein and act of Parliament is deſired.

12. This propoſition is in it ſelfe ſo reaſonable, and the reſtraint layed on the Councell-Table from taking cognizance of matters determinable in the Kings ordinarie courts of Iuſtice by the Common Law, the great Charter thirty times confirmed by Parliament, and ſundry other acts of Parliament of force in this Kingdome, is ſo manifeſt and cleere, that there is no need of further reaſoning or proofe for the ſame; therefore it is conſonant to Law & Iuſtice, that the partyes aggreeved, ſhould bee reſtored to what they Ioſt, and left in *ſtatu quo*, *&c.* as is deſired, and that no matter determinable in the ordinarie Courts may bee determined at the Councell-table.

13. This propoſition being for free trade and commerce ſo neceſſarie for advancement of his Maieſties ſervice and profit and ſo indifferently inducing to the weale of his people, it is conceived, that all who are intereſſed in the Kingdome, ought to contribute their endeavours for the attaining of what is thereby humbly deſired.

14. The place of chiefe governour of this Kingdome being of ſo great honour and high truſt, and therfore to be conferred upon ſuch as ſtudie his Maieſties ſervice, and the proſperitie of the Kingdome without regard to particular intereſt; this limitation will keepe the chiefe governor warie from offending any ſubiect, or deſcending ſo low as to give occaſion, even of ſpeech, that his actions are unwarrantable, or his purchaſes acquited

quired by oppreſſion, men are to bee choſen for this place, that haye no need to purchaſe.

15. The malice and power of the malignant partie in England and Scotland, and of their adherents abroad, and threatned danger of invaſion to bee made by them, and the invitation thereunto of many in this Kingdome, who are knowne to have ſtudied and plotted the ruine of this Kingdome, are motives ſufficient for the granting of the contents of this propoſition, and that the Kingdome be alwayes in poſture of defence of it ſelfe, and all the well affected ſubiects thereof.

16. The paſſing of an act of oblivion to quiet and ſecure the mindes of all his Maieſties ſubiects in a caſe ſo generall, wherein the moſt of his Maieſties ſubiects one way or other are involved, is ſo neceſſary, and ſo purſuing the preſidents, and examples, not onely of England and Ireland, but alſo of other States and Kingdomes, that without the paſſing thereof ſome imbers of miſchiefe may ſtill remaine, which may (though God forbid) turne unto great flammes, witneſſe the *Barons warres*, the warres of *Yorke* and *Lancaſter*, theſe preſent troubles of *England*, and *Scotland*, and other examples, even in this Kingdome. And if there be any poſſibilitie to relieve all particulars, when the generall concernment is in queſtion.

17. Honour, Iuſtice, equitie, and reaſon of State doe pleade for this propoſition.

Wee deſire notwithſtanding thoſe reaſons to bee admitted to ſhew ſuch further and other reaſons, and adde hereunto what wee ſhall thinke fit touching the matters, wherein the anſwers are ſhort, or not ſatisfactorie.

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As the Lord Lieutenant in his anſwer gave the Propoſers no occaſion to uſe any unfitting expreſſions, ſo hee may not but declare the Compariſon, and ſome other expreſſions in their preamble, to bee very unneceſſary, and unſeaſonable, and ſuch as hee may not admit however hee now offereth.

An Explanation of ſome of the anſwers given by IAMES Marques of Ormond His Majeſties Commiſſioner, for the concluding of a Peace in this Kingdome to the Propoſitions of His Maieſties Roman Catholicke ſubiects of Ireland with ſome further Conceſſions.

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1. *Anſw.* FOr the exception taken to the anſwer to the firſt Propoſition, although neyther the ſtatute of 2. *Eliz. c.* 1. nor any other ſtatute of force in this kingdome doe impoſe any mulct or penalty for ſaying, ſinging, or hearing Maſſe, or keeping a Roman Catholicke prieſt in their houſes, yet his Majeſty for the further ſatisfaction of his ſaid Roman Catholicke ſubjects, in any doubt or ſcruple, that may ariſe upon the conſtruction of any of the ſaid ſtatutes which may diſquiet their mindes, is graciouſly pleaſed that a declaration of the law as unto that point be prepared and publiſhed. And his Majeſty is likewiſe graciouſly pleaſed to ſuſpend the high Commiſſion Court: And that as the oath of ſupremacie hath not beene impoſed upon any of them of late times upon the ſuing of *Liveries*, ſo they ſhall for the time to come be admitted to ſue their

Liveries upon taking the oath by his Majeſties directions in that caſe provided, which being added to the anſwers to the eight propoſition (by which his Majeſty hath declared that they ſhall receive ſuch markes of his favour in offices and places of truſt as ſhall manifeſt his Majeſties good acceptance and regarde of them) may for the preſent aboundantly ſatisfie his ſaid Subjects, And for the repeale of any of the acts intended by the ſaid propoſition his Majeſtie will further adviſe.

2. *Anſw.* For the exception taken to the word new Parliament in the anſwer to the ſecond propoſition, Whereas a free Parliament was propounded, The ſaid Lord Marqueſſe declares that the ſaid new Parliament is to bee as free, as by the lawes and ſtatutes of this kingdome any parliament to bee held in this kingdome ought to be, yet ſo as no interpretation be from thence made, that there ſhould bee any proceeding in the ſaid parliament in any particular contrary to the agreement on this Treatie. As to the exception taken to the clauſe in the anſwer, *viz.* that the parliament ſhall be diſſolved upon an attempt onely of propounding any other matter then ſhall be agreed upon by the articles of peace, albeit the clauſe is not ſo as it is recited, Yet the Lord Marqueſſe for their further ſatiſfaction is pleaſed that the word attempt be left out of the clauſe wherein it is, and it bee expreſſed in manner following *viz.* And that nothing be concluded by both or eyther of the ſaid houſes of parliament, which may bring prejudice to any of his Majeſties proteſtant partie or their adherents.

And for their deſire to have *Poynings* act ſuſpended, foraſmuch as it is aſſented unto, that no act of parliament is to paſſe upon the ſuſpenſion of *Poynings* act without tranſmiſſion, according to the uſuall manner, but what ſhall be provided for in the Articles of peace, And that it is enacted by act of parliament of force in this kingdome, that *Poynings* act cannot bee ſuſpended, but by Bill to be firſt agreed upon by both houſes of parliament in this kingdome, which is likewiſe to be tranſmitted according to the uſuall manner, which will take up aſmuch time as the tranſmitting of the Bils which are to bee agreed on this Treaty, And ſeeing the benefits which ſhall be

hold fit to be derived to the propoſers may be as effectually, and with more ſpeed done without ſuſpending of *Poynings* act, as by ſuſpending thereof; His Majeſtie doth not ſee cauſe why the ſame ſhould be deſired, But he is very apprehenſive of the prejudice the ſuſpenſion thereof may bring upon himſelfe, and the publicke ſervice by diſquieting the mindes of his proteſtant ſubjects in both kingdomes, if that he ſhould admit ſuch innovation at this time, there being no neceſſitie thereof, and therefore his Majeſtie aſwell for that as other weighty conſiderations, may not vary as unto that particular from his former anſwer.

3. *Anſw.* If both or eyther of the houſes of parliament have made any orders wherein his Majeſties concurrence hath not beene, It doth reſt onely in the power of the houſe or houſes and not in his Majeſtie to vacate ſuch orders, except they doe appeare in themſelves to be illegall, And in ſuch caſes his Majeſtie will declare ſuch to be voyde, and give directions for the vacating of them as in the particular whereof inſtance is made, for excluding members duely elected and returned according to the eſtabliſhed lawes of this kingdome out of the houſe of Commons, who ſhould refuſe to take the oath of ſupremacie, which without an act of parliament to warrant it cannot bee in ſuch caſe impoſed, but his Majeſtie may not admit the preſent parliament to be voyde, nor declare all that hath beene done therein ſince the ſeventh of *Auguſt* 1641. to bee voyde for that many orders much tending to his Majeſties honour and the ſafetie of this kingdome, wherein both houſes did joyne have beene made ſince that time, as the prohibiting the taking of the Covenant ſo deſtructive to Monarchy, and the Church, which hath been condemned by both the ſaid houſes, Their joynt approbation of the late Ceſſation, The petition wherein both houſes joyned to his Majeſtie, and others of that kinde.

4. Touching the exception taken to that part of the anſwer to the fourth propoſition concerning the Generall pardon, The Lord Marqueſſe declares that it is meant thereby that the ſaid generall pardon ſhall extend to reſtore them, ex-

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cepting ſuch as ſhall be on this Treaty agreed to be excepted, to their bloud and eſtate by act of parliament, whereby all Grantes, Letters-patents, Acts, Letters, Promiſes ſhall bee avoyded. But his Majeſtie cannot in juſtice publiſh any ſuch Proclamation, or give any ſuch direction to the parliament as is deſired, before the perſons intended to be charged be heard, and the matters ſuggeſted proved, which if they ſhall, his Majeſtie will then doe therein what ſhall be juſt. And in the meane time cannot thinke ill of his miniſters of ſtate imployed in this kingdome, nor of the proceedings of any of his Majeſties Courts of Iuſtice, And for their deſire that there ſhould be no exception in the pardon, his Majeſtie may not aſſent thereunto.

5. His Majeſtie will be pleaſed that debts doe ſtand *in ſtatu quo*, having as unto ſuch who ſhalbe agreed in this treatie to be excepted out of the generall pardon, and excepting one particular ſumme which hath beene payed into his Maieſties Exchequer.

6. His Majeſty may not agree to the avoyding of the Plantations in the countie of *VVicklow*, & Territory of *Idough* in the countie of *Kilkenny*, part of the Lands in the countie of *VVicklow*, viz. the *Ranelagh* being confirmed by act of parliament, and ſo much of the reſt of the lands in the ſaid county as fell to his Majeſtie upon the diviſion, and the Territory of *Idough* being paſſed by Letters-patents under the great Seale upon the Commiſſion of Grace for remedy of defective Titles, ſtrengthned likewiſe by act of Parliament, which his Majeſtie may not in honour avoyde, And his Majeſtie doth conceive it were unſafe for divers of his Majeſties ſubjects, who have purchaſed eſtates grounded upon his Majeſties title, that the ſtatute of Limitations ſhould have ſuch a retroſpect as is deſired, which in time would overthrow the eſtates of many of his Majeſties ſubjects, who acquired eſtates for valuable conſideratiōns, And therefore his Majeſtie may not aſſent thereunto, but for taking off or abating of Rents contracted or agreed for, his Majeſtie is pleaſed that the courſe preſcribed in his anſwer to the twelfth additionall propoſition be obſerved.

7. His

7. His Majeſtie may not admit that the governing of the Innes of Court, Vniverſitie, and free-ſchooles by ſuch ſtatutes rules and orders, as his Majeſtie ſhall approve of, and be agreeable to the cuſtomes of *England* will debarre Roman Catholickes ſo long as they are of that Religion from attayning to the lawes of the Land, or any other learning within the kingdome, for thoſe of that Religion in *England*, and who goe from hence doe attayne the knowledge of both in the Vniverſities and Innes of Court there in an eminent manner, and may doe the like here.

8. There being no offices or place excepted in the former anſwer, the Propoſers may reſt ſatisfied therewith, it being in his Majeſties power to diſpoſe of ſuch places and offices by his Letters-patents as occaſion ſhall be offered, and thereby to remove all impediments mentioned by the Propoſers.

9. His Majeſtie doth not admit ſuch abuſes to have beene in his Court of wards and the miniſters thereof, as are ſet forth in the reaſons for the ninth propoſition, untill proofe bee made thereof, And his Maieſtie doth beleeve that exceeding great benefit may redound to the kingdome, by the continuance and right ordering thereof, And therefore conceiveth his former anſwer to be reaſonable, And it ſeemeth not equall which is propounded that there ſhould bee firſt an extinguiſhing of the Court, and the Tenures *in capite* taken away, and that then a courſe for his Maieſties profit and ſervice ſhould be propoſed, that being ſo to be offered in the firſt place before his Maieſtie part with the other, And the like is to be done for reſpit of homage.

10. His Maieſtie may not receade from the former anſwer with which the Propoſers may reſt ſatisfied.

11. As his Maieſtie may not vary from his former anſwer, ſo he may not foreclose the houſes of parliament from making any declaration agreeable to the lawes of the land.

12. The Propoſers may reſt ſatisfied with the former anſwer, conſidering that all parties grieved may have the benefit of the lawes of the land, and that by conſent of the parties intereſted many matters determined at Councell-board are confirmed by act of parliament.

14. His

13. His Maieſtie will be pleaſed that indifferent perſons be agreed on this treatie who ſhall be authoriſed by Commiſſion to moderate and ſettle the Booke of Rates in ſuch ſorte as they ſhall thinke fit.

14. His Maieſtie may not aſſent any further to this propoſition then he hath already done without apparent preiudice to his ſervice.

15. His Maieſtie may not receade from his former anſwer.

16. His Maieſtie thinkes not fit to give any further anſwer to this Propoſition then he hath done already, untill the Propoſers make anſwer to the propoſitions made and delivered unto them in the behalfe of his Maieſties proteſtant ſubiects and their adherents. And then upon further debate his Maieſtie will give ſuch anſwer as ſhall be thought fit.

17. It may not be admitted that tryals by the knowne lawes of the land aſſented unto by the former anſwer ſhould not be indifferent, And therefore his Maieſtie may not receade from his former anſwer.

The ſaid Lord Marqueſſe of *Ormond* now declares, that albeit theſe anſwers are thus given by him in preſent to the ſaid propoſitions, yet that he intends not to be thereby concluded from altering the ſame or adding thereunto in any parts thereof in ſuch ſorte as he ſhall finde cauſe upon further debate.

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Addi-

Additionall Propositions of His Majesties most humble and loyall subjects the Confederate Roman Catholicks of Ireland, presented to His Excellencie the Lord Marques of Ormond; Lord Lieutenant of Ireland, His Majesties Commissioner.

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1. THat an act bee passed this next Parliament, prohibiting that neither the Lord Deputie, Lord Chancellor, Lord High Treasurer, Vice-Treasurer, Chancellor, or any of the Barrons of the Exchequer, privy Councell, or Iudges of the foure Courts bee Farmers of his Majesties Customes.

2. That an act of Parliament may passe in this Kingdome against all Monopolies, such as was enacted in England, 21. *Iacobi*, with a further clause for repealing of all grants of monopolies in this Kingdome.

3. That the Court of Castle-chamber in this Kingdome, having been an oppression to the subject, & there being other remedies for the offences questioned in that Court by the Common Law and Statutes of the Realme, be taken away, or otherwise limitted, as both houses of Parliament shall thinke fit.

4. That two acts lately past in this Kingdome, one prohibiting the plowing with horses by the taile, and the other prohibiting the burning of oates in straw may bee repealed.

5. That upon presenting the names of three persons of qualitie in each Countie by Vs to your Lordship, patents be passed to such of those so to bee presented respectively to be Sheriffs in each County, as to your Lordship shall seeme meet to make choice of for that purpose.

6. That

6. That one, or more Agents from this Kingdome, may bee admitted ſtill to attend his Majeſtie for his better information of the affaires of this Kingdome; And that as a teſtimony of his Majeſties favour, ſome of the nobles and others of qualitie of this Kingdome may be imployed about his Majeſties perſon.

7. For aſmuch as divers of the Scottiſh Nation, and others in this Kingdome doe not obey the preſent ceſſation, and many of them having of late taken the Covenant propoſed by the members of Parliament at Weſtminſter now in armes againſt his Majeſtie. It is therefore humbly deſired that ſuch as diſobey the ſaid Ceſſation, or have taken the ſaid Covenant, bee proclaimed traytors, and proſecuted accordingly by his Majeſties authoritie, and that ſuch Counties or Corporations as have not ſubmitted to the now Ceſſation of armes in this Kingdome, according his Maieſties Commiſſion, be not admitted to make any returne to the Parliament.

8. For aſmuch as ſundry perſons eſtated in this Kingdome, have either actually raiſed armes in England, againſt his Majeſtie, or have otherwiſe adhered to the malignant partie now in armes againſt his Majeſtie, that therefore it may pleaſe his Majeſtie to give way to the impeachment and attainders of thoſe, and ſuch others whoſe names we ſhall here repreſent to your Lordſhip by way of bill in Parliament, whereby they may receive condigne puniſhment for their offences, & his Majeſty take advantage of the forfeiture of their eſtates, and in the interim the poſſeſſions to remaine in the hands wherein they are at preſent.

9. For aſmuch as upon application of the Agents from this Kingdome to his Majeſtie, in the fourth yeare of his raigne, and lately upon humble ſuite made to his Majeſtie, by a Committee of both houſes of the Parliament of this Kingdome, order was given by his Majeſtie for redreſſe of ſeverall greevances; It is therefore humbly deſired, that for ſo many of thoſe as are not expreſſed in the now propoſitions preſented to your Lordſhip, whereof both houſes in the next enſuing Parliament, ſhall deſire the benefit of his Majeſties ſaid former directions

directions for redreſſes that the ſame bee afforded them.

10. That the office of ~~Adminiſtration~~ Admiralty in this Kingdome bee ſetled independant of none but his majeſtie, whereby maritime cauſes may bee determined here without driving merchants or others, to appeale or ſeeke Iuſtice elſewhere in thoſe cauſes.

11. That a Courſe may be taken for all ſuch as owe debts in this Kingdome for that by reaſon of the generall devaſtation of the Kingdome, the land is not like in ſome yeares to come to be of any conſiderable value, being the onely meanes that many of the Nobilitie, Gentrie, and others of this Kingdome had to ſatisfie their debts, and therefore a competent time bee given by act to bee paſt in the next Parliament for payment thereof and the intereſt or uſe of moneyes to bee moderated.

12. That the ſubjects of this Kingdome may bee eaſed of the increaſe of rent lately rayſed and impoſed on them upon the late Commiſſion of defective titles in the Earle of Straffords time.

13. That if any of your Lordſhips partie during theſe troubles, have by fines, recoveries or otherwiſe diſinherited thoſe who were next to ſucceed them of our partie as heires, or in reverſion, or remainder without reall and full conſideration, but for being of our partie, that all acts ſo done be avoided in Parliament.

14. That ſuch of our partie whoſe eſtates are in the hands of the Scottiſh and Parliament partie, either in this Kingdome or in England, bee recompenced out of the eſtates of thoſe malignant in this Kingdome.

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The Anſwer of IAMES *Marques of Ormond, his Majeſties Commiſſioner, for the treatie and concluding of a Peace in this Kingdome, for and in the Name, and behalfe, of his Majeſtie, to the additionall Propoſitions of his Roman Catholicke ſubjects of Ireland, &c.*

VVhen all the particular demands made on the behalfe of his Majeſtie, the Church, and his Majeſties Proteſtant ſubjects, and their partie, ſhall bee concluded his Majeſtie will be graciouſly pleaſed on his part, to agree to the particulars hereafter expreſſed, viz.

1. TO the firſt propoſition, his Maieſtie hath declared his pleaſure in this point (excepting in that part which concernes privie Counſellors) in his anſwer to the eight grievance in the ſeventeenth yeare of his Maieſties raigne, which his Maieſtie will be graciouſly pleaſed may ſtand as a rule in this caſe, And as to that part which concernes privie Counſellors, the ſame ſhall be humbly repreſented to his Maieſtie and his Royall pleaſure therein expected.

2. To the ſecond propoſition, his Maieſtie will be graciouſly pleaſed to aſſent to this propoſition, yet ſo as firſt there be care taken to ſecure his Maieſty in the particulars propoſed in the ſixt, and ſeventh Articles of the demands in the behalfe of his Maieſtie delivered by the Lord Lieutenant on this treatie to the Lord *Muskery*, &c.

3. To the third propoſition, The particulars wherein it is deſired, that the Court of Caſtle-chamber may be limitted, are to be propoſed, and then ſuch conſideration ſhall bee had of this propoſition as ſhall be fit.

4. To the fourth propoſition, his Maieſty will be graciouſly pleaſed, that the two acts in this propoſition mentioned be ſuſpended for ſuch time, as on this treaty ſhalbe agreed on.

5. To the fift propoſition, The lawes have already provided for the manner of appointing Sheriffes, from which courſe his Maieſtie thinkes not fit to vary.

6. To

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6. To the ſixt propoſition, After a peace ſhall be fully ſetled, application may be had herein to his Maieſtie, who in his high wiſedome beſt knowes how to extend his Royall favour in this particular.

7. To the ſeventh propoſition, For the firſt part of this propoſition, the Lord Lieutenant declareth that his Maieſties Commiſſion to him warranting this treaty, gives him authoritie to conclude a Peace, but gives him no authority for publiſhing ſuch a Proclamation, or for ſuch a proſecution, as in this propoſition is propoſed, and for the later part of this propoſition the granting thereof is inconſiſtent with the condition of a free parliament.

8. To the eight propoſition, when the Propoſers ſhall preſent to the Lord Lieutenant the names of the perſons in this propoſition intended to be impeached and attaynted, ſuch conſideration ſhalbe had of this propoſition as ſhalbe fit.

9. To the ninth propoſition, the propoſers ſetting downe the particulars of the things contayned in this propoſition, ſuch conſideration ſhall be had thereof as ſhalbe fit;

10. To the tenth propoſition, his Maieſty will be pleaſed to adviſe concerning this propoſition.

11. To the eleventh propoſition, this is left to further conſideration on debate.

12. To the twelfth propoſition, this is not held fit for his Maieſty to be aſſented to on this treaty, yet the caſe of remittals or abatements we intend humbly to repreſent to his Maieſtie, who will be graciouſly pleaſed in fit time to ſet downe ſuch a courſe herein by Commiſſion or otherwiſe, as may ſtill further magnify his goodneſſe and indulgence to all his ſubiects.

13 To the thirteenth propoſition, his Maieſty may not aſſent to this, it being againſt the libertie of the ſubiect, and the lawes of the Land.

14. To the fourteenth propoſition, Such of the eſtates in this propoſition mentioned, as ſhall acrue to his Maieſty is to be left to his Maieſty to be diſpoſed of as in his high wiſedome he ſhall thinke fit.

Demands in the behalfe of His Maieſtie.

1. THat preſent reſtitution bee made by the Confederate Roman Catholicke Party. of the Command, Rule and Government of the Cities of *Limmericke*, *VVaterford*, *Kilkenny* and *Cashell*, the Townes of *Galway*, *Clonmell*, *VVeixford*, and *Roſſe*, and of all other Cities, Townes, Counties, and Territories of right belonging to his Majeſty, and now in the poſſeſſion, or under the command of the ſaid Confederate Roman Catholicke party, & that reſtitution be likewiſe made by them of all his Maieſties Caſtles, Fortes, Lands, Tenements, and hereditaments, and of all his Maieſties Ordnance, Artillerie, Armes, and Amunition, which have beene ſeiſed on, or taken by the ſaid Confederate Roman Catholicke party, ſince the 21. of *October* 1641. in the Cities of *Limmericke*, *VVaterford*, *Galway*, the Caſtle and Towne of *Newry*, *Charlemount*, and other places within the kingdome, And that all ſuch power, Iuriſdiction or Government as hath beene aſſumed by the ſaid Confederate Roman Catholicke party over their partie, ſince the 22. of *October* 1641. be from hence forth abrogated deſerted and deemed voyde, And that all his Maieſties ſubiects aſwell the Roman Catholickes as others within the kingdome ſhall be from henceforth ameaneable to the Lawes of force in this kingdome, and obedient to his Maieſties government and Courts of Iuſtice.

2. That all the Armies rayſed by the ſaid Confederate Roman Catholicke party, with their Armes and munition, and ſuch Fortes, Garriſons and Wardes, as are now kept by them, ſhall from henceforth be under the command of his Maieſtie, and his Maieſties Lieutenant, or other his Maieſties chiefe governor or governors of this kingdome for the time being, and ſuch others, as his Maieſty from time to time ſhall appoint.

3. Thirdly,

3. Thirdly, that his Maiesty may be answered such certayne Rents, Compositions and Casuall profits and Subsidies, and all Customes, and Subsidies for Merchandize as were accrued and growne due before and on the 23. of *October* 1641 and which shall from henceforth grow due.

4. That all the remaine of the thirty thousand eight hundred pound appearing to be payable to his Maiestie by the Instrument signed by the Lord *Muskery* and others, dated 16. of *September* 1643. which hath not yet beene payed in money or Cattle, in manner as in an Instrument signed by the said Lord *Muskery* and others, dated the xvj. of *September* one thousand six hundred forty and three, is expressed, bee payed to his Maiesties Vice-treasurer and Treasurer at Wars, or to his deputy, or to such other person or persons as the Lord Lieutetenant, or other chiefe governor or governors of this kingdome for the time being shall appoint, to his Maiesties use, by the said Confederate Roman Catholicke party, at by or before the day of next

5. That the said Confederate Roman Catholicke partie doe make a true account and present payment of his Maiesties Customes and Impositions of *VVaterford* and *Rosse*, according to the Booke of Rates, for all such Commodities as have been exported out of, or imported into the said Harbours since the xv. of *September* 1643.

6. That the grant of the Licencing of retayling VVine and Aquavitæ, and of transportation of Linnen-yarne at per packe in *Ireland* towards the support of the charge of this kingdome, may be setled by act of Parliament upon the Crowne, according to the resolution in his Maiesties late graces in the yeare 1641. with some apt Proviso, that they may be kept and continued as a Revenue to the Crowne.

7. That on the pound of Tobacco be setled by act of parliament unto his Maiesties use, as a Custome upon that Commoditie, whereupon the emption of Tobacco to be free, and the Monopoly wholy taken away.

Demands

Demands in the behalfe of the Proteſtant Clergie.

1. THat the Archbiſhops, Biſhops, and all other Eccleſiaſticall perſons be preſently reſtored to their reſpective Churches, Iuriſdictions and poſſeſſions, both Spirituall and Temporall, and to the free exerciſe of their ſeverall and reſpective functions, and that they enjoy the ſame without any interruption to be given thereunto by the ſaid Confederate Roman Catholicke party, in ſuch manner as they have enjoyed the ſame, before and on the 23. of *October* 1641.

2. That all Cathedrall and pariſh Churches, and all Archbiſhops, and Biſhops, manſion-houſes, which have beene any way demoliſhed or defaced, by any of the ſaid Confederate Roman Catholicke party, ſhall be withall convenient ſpeede by the Confederate Roman Catholicke party repayred, and put in as good condition as they were on the 23. of *Octob.* 1641.

3. That for the preſent ſubſiſtence of the proteſtant Clergy, they may be allowed the one halfe of all the Tythe Corne belonging to their benefices reſpectively aryſing out of this preſent Harveſt 1644. within the quarters allotted by the articles of Ceſſation to the ſaid Confederate Roman Catholicke party, or the value thereof.

Demands in the behalfe of all His Maieſties Proteſtant ſubiects, and their Party.

1. THat preſent reſtitution be made unto them of all their Caſtles, Lordſhips, manors, and all other Hereditaments, and Chattles reall, of what kinde ſoever, whereof they were ſeaſed or poſſeſſed by themſelves or their Tenants on the 22. of

22. of *October* 1641. and which remayne within the quarters allotted by the Articles of Ceſſation to the ſaid Confederate Roman Catholicke party.

2. That where any of the goods, Evidences, or writings of the proteſtant ſubjects, and ſuch as adhere unto them, have beene delivered in truſt to any that are or have beene, of the ſaid Confederate Roman Catholicke party, to be kept by any of them, That ſuch goods, Evidences, and writings be reſtored to thoſe that ſo delivered them in truſt as aforeſaid, or to their heires, executors, adminiſtrators or aſſignes.

except they were taken away in hoſtile manner

3. That all goods which have beene pillaged and taken away by any of the ſaid Confederate Roman Catholicke party, which may be had *in ſpecie*, and the property whereof was not altered by ſale in market before the 24. day of *Iune* 1644. (being the day of the date of his Maieſties Commiſſion warranting this Treaty) be reſtored, or otherwiſe the Proprietor may be left to his remedy at Common-law for the recoverie thereof, and that any ſale in market ſince the ſaid 24. of *Iune*, ſhall be no hinderance or barre thereunto.

4. That where any of that party have pillaged or taken away any goods from any of his Maieſties proteſtant ſubiects, or any adhering to them, betweene the 21. of *October* 1641. and the 21. of *Ianuary* 1641. that the party ſo pillaged may be left to take his remedy at law for recovery of his goods or damages for the ſame againſt ſuch who did ſo pillage them.

5. That all Caſtles and houſes which were ſurrendred upon quarter, upon Articles under hands, wherein it was undertaken, that the ſaid Caſtles or houſes ſhould bee preſerved from being deſtroyed or demoliſhed, That the ſaid Confederates who have ſo articled may rebuild the ſaid Caſtles or houſes, in as good ſtate as they were at the ſurrendring up of the ſame, upon Articles as aforeſaid.

6. That where any Lands belonging to his Maieſties proteſtant ſubjects or their tenants or adherents have beene poſſeſſed by any of the ſaid Confederate Roman catholicke party, and corne ſowen therein by any of that party ſince the 15. of *September* 1643. that the ſaid proteſtant ſubjects or their adherents

adherents who by themſelves or their tenants were poſſeſſed of the ſaid Lands on the 22. of *October* 1641. or their Heires, Executors, Adminiſtrators, or Aſſignes may reſpectively receive the fourth ſheafe of all the ſaid corne this preſent Harveſt 1644. or the value thereof.

Theſe propoſitions thus made in preſent are not in excluſion of any other propoſitions which we ſhall adjudge neceſſary to be propounded or inſiſted on for the glory of God, the honour of his Maieſty, the intereſts of his good ſubjects, and the ſafety of the kingdome, nor in excluſion of ſundry other particulars which may be neceſſary for us to inſiſt on, as conducing to the formerly mentioned ends, and which may ariſe upon the preſent Treaty.

Anſwers to the demands made by the Lord Lieutenant in the behalfe of His Maieſtie.

1. TO the firſt Demand his Maieſties faithfull ſubiects the Confederate Catholickes of his kingdome of *Ireland* doe anſwer, that the Cities, and Townes in the ſaid demand mentioned, are, and alwayes have beene ruled, and governed, according to his Maieſties Lawes, and the Charters unto them reſpectively granted by his Maieſty, and his Royall progenitors and predeceſſors Kings, and Queenes of *England* and *Ireland*, and are preſerved and kept by the ſaid Confederate Catholickes for his uſe, and ſervice againſt the malignant partie, and their adherents. And as for his maieſties Fortes, Caſtles, Territories, Hereditaments, Ordnance and Artillery, in the ſame demand mentioned, the ſame are likewiſe kept, and maintayned for his maieſties uſe and ſervice, and the ſafetie of the kingdome and his maieſties intereſts therein againſt ſuch as are joyned in a rebellious covenant, and are actually in armes againſt

againſt his Royall perſon. And they know of no conſiderable amunition taken by the ſaid Catholickes, and ſuch as was ſo taken, and much more was by them imployed in his Maieſties ſervice, And as to the power and juriſdiction mentioned to be aſſumed by the ſaid Confederate catholickes, they ſay they were neceſſitated to rule and governe their party to avoyde the extirpation of their Religion and Nation plotted, and contrived by the ſaid malignant party, and to preſerve his Maieſties rights. And their proceedings were, and are as neere and conſonant to the lawes of the kingdome, as the ſtate and condition of the times did, or can permit. And they will bee ready to relinquiſh the ſaid rule, and government upon a full ſetlement of the affaires of the kingdome.

2. To the ſecond they anſwer that the armies raiſed by the ſaid Confederate Catholickes were rayſed, and the ſaid armies Fortes, Garriſons and Wardes in the demand mentioned are maintayned for the ſafety of the kingdome, and to preſerve his Maieſties intereſts, and the ſaid armies alwayes were and are in actuall ſervice accordingly, and that upon a full ſetlement, the ſame are to be diſpoſed of as his Maieſty will direct.

3. To the third they ſay that ſo much of the profits therein mentioned as grew dew ſince the ſeventh day of *Auguſt* 1641. (on which day happened that inforced and fatall adjournement of the parliament from whence all the diſtractions of this kingdome did ſpring) as was received by the ſaid Confederate Catholickes, and many an hundred times more was by them imployed and expended in his Maieſties ſervice for the defence of the kingdome, And the ſaid profits for the time to come after a full ſetlement are to be diſpoſed by ſuch hands, as his Maieſtie ſhall thinke fit.

4. To the fourth they ſay that the free gift granted to his Maieſtie by the ſaid Confederate Catholickes is already overpayed, as ſhall be made appeare upon account by the ſupreme Counſell of the ſaid Confederate Catholickes, to whom that affaire is intruſted.

5. To the fifth they ſay that the Portes of *VVaterford* and *Roſſe*, being within the quarters of the ſaid Confederate Ca-

tholicks by the Articles of Ceſſation, they have according the ſaid articles received the profits accruing out of the cuſtomes of thoſe portes, and imployed the ſame in his Maieſties ſervice and defence of the kingdome.

6. 7. The matters contayned in the ſixt and ſeventh Demands are properly to be determined in ſuch manner as ſhalbe agreed upon in the concluſion of this treatie. And what further concernes the ſaid demands, or the matters in them, or any of them contayned wee conceive proper for a debate & to bee determined upon concluſion of the treaty.

The ſaid Confederate Catholickes doe referre their anſwers to the demands made on the behalfe of the proteſtant Clergy to the firſt of the propoſitions preſented by them, And to the debate and determination thereof.

Anſwers to the Demands made on the behalfe of His Maieſties Proteſtant ſubjects:

1. TO the firſt the ſaid Confederate Catholicks doe anſwer, that after a full ſetlement of affaires, reciprocall reſtitution is to be made aſwell to the ſaid Confederate Catholickes, and every of them, as alſo to his Maieſties ſaid proteſtant ſubiects, and to every of them, other then ſuch of the ſaid proteſtants as are or ſhalbe joyned in a rebellious covenant againſt his Maieſty, or adhere to the malignant party of their reſpective Caſtles, Lordſhips, Mannors, hereditaments, and Chattels reall, whereof they were reſpectively ſeiſed or poſſeſſed on the 22. of *October*. 1641. within the quarters allotted to eyther party by the articles of Ceſſation, And other then the Caſtles

Caſtles, Lordſhips, Mannors, and hereditaments in the county of *VVicklow*, and in the Territory of *Idough*, out of which the Natives thereof were by an high and injurious hand, or extrajudiciall & arbitrary proceedings expulſed ſince the yeare of our Lord God 1633.

2.3.4. To the ſecond, third, and fourth, they ſay that the ſaid Confederate Catholickes are much more damnified therein then the ſaid proteſtants. And yet in regard the ſame may beget many endleſſe ſuites & troubles, they conceive they are fit to be ſeriouſly debated, and finally ended upon the ſetlement.

5. To the fifth they anſwer that they know of no Forte, or Caſtle that was demoliſhed contrary to articles, And when the particulars ſhall appeare, they will give particular anſwers.

6. To the ſixt they ſay that the Confederate Catholicks doe receive no profit of their eſtates detayned from them; wherefore they conceive it not equall that the proteſtants ſhould receive the profits of their eſtates, untill after ſetlement, and then the profits of both eſtates, are to be reciprocally received by all parties reſpectively in ſuch manner as ſhalbe agreed upon.

Reaſons why His Majeſties ſaid Roman Catholicke ſubjects are not ſatisfied with the anſwers delivered them by his Excellencie the Lord Marques of Ormond, Lord Lieutenant of Ireland, his Majeſties Commiſsioner, to certaine Propoſitions by them preſented to his Lordship, on the fourth of September in the twentieth yeare of his Majeſties raigne.

IN aſmuch as moſt of the reaſons declaring how the ſaid anſwers are not ſatisfactory, doe appeare eyther in the ſaid propoſitions themſelves, or in the reaſons afterwards in the moneth aforeſaid preſented to your Lordſhip, ſetting forth the neceſſity of the ſaid pro-

poſitions, to avoyd reiteration, what is in the ſaid propoſitions or reaſons expreſſed, is herein omitted. It is therfore hũbly deſired that your Lordſhip in your conſideration of the reaſons now preſented will diſtinctly & apart reflect upon the ſaid former propoſitions & reaſons.

Reaſons againſt the firſt Anſwer.

The ſaid Catholickes upon exact ſcrutiny, and ſearch by them made of their conſciences and actions, finding nothing more deſired by the one, nor aymed at by the other (next to the homage which they owe to the King of kings) then the advancement of his Maieſties ſervice, & the ſetling of a full peace & quiet in this his kingdome of Ireland, they do therfore with heavineſſe of heart apprehend ſome expreſſions in the firſt anſwer (viz. *If the ſaid Roman Catholicke ſubiects ſhall by their obedience and loyaltie merit his Maieſties favour and protection*) whereas the ſaid Roman Catholickes are as obedient & loyall ſubiects to his Maieſty as any other his ſubiects without exception, & whereas their thoughts or actions have never deſerved to put them out of his Maieſties protection, yet the occaſion of their ſaid apprehenſions they may not aſcribe to your Excellency, who is intruſted by his Maieſty with the acting & directing part in this great affaire now in Treaty, but unto ſome inſtrumentall cauſe or other miſtake.

And as to the reſt of the ſaid firſt anſwer (viz. *That when all demands made by your Lordſhip unto the ſaid Catholicks in his Maieſties behalfe, or on the behalfe of the proteſtant Clergie, and on the behalfe of his Maieſties proteſtant ſubiects, are concluded and upon ſuch merit, as is before expreſſed, the ſaid Catholickes ſhall not have cauſe to complaine that leſſe moderation is uſed then in the moſt favourable of* Queene Elizabeth, *or* King Iames *his times, and his Maieſtie will be further adviſed upon the repeale of the ſtatutes made againſt the ſaid Catholickes,*) Although the ſaid Roman Catholickes are moſt confident of his Maieſties grace and goodneſſe, yet ſo great is the penalty impoſed by ſtatutes of force in this kingdome extending to the goods eſtates, liberties, lives, and corruption of bloud of the ſaid Catholicks that they muſt live in reſtleſſe feares ſo long as thoſe extreme puniſhments hang over them, and in caſe his Maieſty by Letters-patents under his great ſeale, or otherwiſe will declare his Royall pleaſure againſt the execution of thoſe ſtatutes upon the ſaid Catholickes, yet thoſe feares will hardly be removed thereby, ſuch is the malice of the malignant party, who have vowed the totall deſtruction of the ſaid Catholickes, that their adherents here, though not knowne to be ſuch, will never want will, and cannot want opportunity ſufficient to indict the ſaid Catholicks upon the ſaid ſtatutes; & the Iudges before whom the ſaid indictments are found, by their oath declared by the ſtatute of 18. *Eliz.* will not ſtop or ſuſpend the proceedings of the Court for the great Seale, privy ſeale, or his Maieſties letters writs or commande ments.

mandements. And your Lordſhip may pleaſe to obſerve that by long experience it is manifeſt that ſince the making of thoſe Lawes, being foure-ſcore and odde yeares, the penalties or forfeytures in them expreſſed, have not beene ſo prevalent as to draw them the ſaid Catholickes from the Religion profeſſed by them and their Anceſtors, and no advantage did in ſo long a tract of time accrue to the Crowne by thoſe ſtatutes. And ſeeing his Maieſty is content that moderation ſhould be uſed towards the ſaid Catholickes, to what purpoſe ſhould the ſaid penall lawes be continued in force, whereas the continuation thereof can produce no other effect, then jealouſies and feares in the mindes of the people.

A free Parliament is propounded and a new Parliament is meaned in this anſwer to be granted. It is true that Parliaments in their Eſſence ought to be free, yet ſome examples ſhewing the contrary in this kingdome, and a clauſe in the anſwer, viz. *That the Parliament ſhall be diſſolved upon an attempt onely of propounding any other matter, then ſhall be agreed upon by the Articles of Peace*, which attempt may bee purpoſely done by ſome averſe to peace to diſſolve a Parliament, and the taking away of the ſaid clauſe, *attempt*, doth induce the ſaid Catholickes to ſupplicate the inſerting of a free Parliament; And that all the acts to be concluded on by the treaty may not be tranſmitted into *England*, in regarde the ſubſtance of that which will bee paſſed as acts, without tranſmiſſion are to be inſerted in the articles of peace, which & none other act of Parliament is to paſſe upon the ſuſpenſion of *Poynings* act without tranſmiſſion according to the uſuall manner, wherefore the ſaid ſuſpenſion can bring no manner of prejudice upon his Majeſtie, or the publicke ſervice, and that by the granting thereof the peoples mindes will be much quieted The ſaid Catholicks do therfore humbly deſire, that the ſaid act be ſuſpended as is by them propounded. *Reaſons againſt the 2. Anſwer.*

If the now pretended Parliament, or eyther of the houſes of Parliament made any Orders or Ordinances to the prejudice of the ſaid Catholicks, the ſame Parliament may vacate them & take them off the file; And it is not to be preſumed that any member of Parliament is ſo litle affected to the peace or quiet of the kingdome that he will give oppoſition to the third propoſition, or to his Maieſties direction, or to your Lordſhips requeſt in that behalfe. And the ſaid Catholickes conceive it neceſſary in point of honour and reputation that no Order or Ordinance to their prejudice may remayne of Record in Parliament. And if no ſuch Order or Ordinance bee, the propoſition can hardly be denied; wherefore it is humbly deſired, that the anſwer may be more full and ſatisfactory. *Reaſons againſt the 3. Anſwer.*

Vpon conſideration of the fourth propoſition & of the reaſons for the *Reaſons againſt the 4. Anſwer.*

the ſame, it is humbly deſired this anſwer be enlarged to the greater advantage of the ſaid Catholickes, then is expreſſed; and although his Majeſty cannot avoyde Recordes of this nature by Proclamation, yet when his Majeſty is informed that thoſe indictments and outlawries were done of deſigne to extirpate a Nation, and that in the proceedings it will appeare, and here was practiſed, his Majeſties proclamation in a caſe of this generall concernment declaring his diſlike of ſuch proceedings will be of great conſequence and his direction to the Parliament, to that effect will no doubt, accomplish the deſire of the ſaid Catholicks contained in this Propoſition, and his Royall directions to have the Procurers, Actors, and Plotters of and in the ſaid indictments, and outlawries, and the whole proceedings queſtioned, and the deſigne and practiſe being diſcovered and proved, then the ſaid records and all matters depending hereupon, ought in law and juſtice to bee vacated and taken off the file, and the pardon in the anſwer mentioned reſtores neither blood nor eſtate, as it is there ſet downe, and admitting the pardon were by Parliament, it will bee of abſolute neceſſitie to avoid all grants, letter-patents, leaſes, and other acts, letters, or promiſes made to the prejudice of the perſons attainted, and to reſtore them to their blood and eſtate, in which act a clauſe condemning the manner of the procuring of the ſaid indictements and outlawries is thought neceſſary to bee inſerted; and the exception mentioned in the ſaid anſwer, is humbly deſired by the ſaid Catholicks to bee taken off; and the clauſe *viz.* (*His Majeſty will enlarge his mercy.*) to be made more particular.

Reaſons againſt the 5. Anſwer. This anſwer is humby deſired to bee made equall to all parties one way or other, as it is propounded, and that Catholicks ſhould pay debts due upon them, and looſe the debts due unto them, is conceived not to bee equall.

Reaſons againſt the 6. Anſwer. By his Majeſties graces of the fourth yeare of his raigne, all the eſtates in the Province of Conaght, and Countie of Clare, in purſuance of the Indentures of compoſition made by the late Queene *Elizabeth*, for great and valuable conſiderations, with the Lords and Gentrie of the ſaid Province and Countie, and of the grants and promiſes of the late King *Iames* of happy memorie, were to bee confirmed and made good by act of Parliament, the ſtatute of limitation was then to bee paſſed, which extended to all eſtates in the Kingdome, therefore no greater rent ought to bee reſerved upon the lands in the ſaid Province or Countie, nor upon the lands in the Counties of Tiperarie and Lyndak, then was anſweared to his Majeſtie in the ſaid fourth yeare of his Majeſties raigne.

And the great offices intituling his Majeſtie unto the before mentioned

tioned lands, and to many mens eſtates in the County of Wickloe, and to the territorie of Idough in the Countie of Kilkenny, were enforced by an high hand; the free-holders thereof being in poſſeſſion of their repective eſtates then and for many ages before, without interruption or queſtion. It is therefore humbly deſired, that thoſe offices bee vacated and taken off the file, by his Majeſties gracious directions, his highnes or his patentees being therein onely concerned as to the title found by thoſe offices; And that the ſtatute and limitation may bee here enacted with a retroſpect to the fourth yeare of his Majeſties raigne, at which time it was promiſed by his Majeſty, to have been paſſed as an act in this Kingdome, and if it had beene ſo done, the ſaid offices had not been found. And that the caſe of the Countie of Wickloe, and the Countie of Kilkenny meriting equall juſtice and favour with the reſt, ought not to be diſtinguiſhed from them.

Reaſons againſt part of the 7 Anſwer.

The clauſe in the ſaid anſwer, concerning Innes of Court, and free-ſchooles, as it is expreſſed in the anſwer, will debarre Roman Catholicks ſo long as they are of that Religion, from attaining to the knowledge of the lawes of the land, or any other learning within this Kingdome.

Reaſons againſt the 8 Anſwer.

This anſwer is conceived not to be ſatisfactorie and to generall; and particular inſtances of the markes of his Majeſties favour towards the ſaid Catholicks is humbly deſired.

To the 9. Anſwer.

The reaſons againſt this anſwer in all the parts thereof are the ſame, that are urged for the ninth Propoſition, and upon conſideration of thoſe reaſons, the anſwer is humbly deſired to be enlarged.

To the 10. Anſwer.

His Maieſties anſwer made to the 15. grievance, in the 17. yeare of his Majeſties raigne, gives five yeares time to the uneſtated Lords, to acquire eſtates in this Kingdome; It is therefore humbly deſired, that the anſwer may be more ſatisfactory on conſideration of the reaſons for the tenth propoſition, and the ſtate of affaires is ſo altered ſince that time, that upon the now intended generall ſettlement more circumſpection and warines is to be uſed then at any time before.

To the 11. Anſwer.

The ſaid Catholicks doe conceive and affirme in all cleerenes, that the Parliament of Ireland is independent of the Parliament of England, without which independency, this realme could be no Kingdome, nor any Parliaments here neceſſary, nor any ſubject of this Kingdome, ſure of his eſtate, life or liberty, other then at the will and pleaſure of a Parliament, wherein neither Lords, Knights nor Burgeſſes of this Kingdome, have place or vote, and which vowed the deſtruction of all or moſt of this nation, and unwarrantably aſſumed the power to diſpoſe of their eſtates, by the Statutes of ſubſcription

tion to maligunants, and Hollanders. To draw this into any debate or queſtion might prove of moſt dangerous conſequence to this nation. And yet a declaration of the Parliament here, and an act as in the propoſition is ſet down, is humbly deſired, in regarde his Maieſty was drawne to give the Royall aſſent to the acts of ſubſcription.

The 12. This anſwer is humbly deſired to be enlarged according to the reaſons for the twelfth propoſition.

Anſwer.

The 13. The rates of ſtaple commodities are humbly deſired to be moderated by Commiſſioners to be appointed by both houſes of Parliament.

Anſwer.

The 14. The reaſons for the not continuance of the chiefe governor above three yeares are the ſame urged for the fourteenth propoſition.

Anſwer.

The 15. The reaſons for the erecting and continuance of trayned Bands are the ſame that are urged for the fifteenth propoſition.

Anſwer.

The 16. This anſwer is humbly deſired to be enlarged, and the act of obliviion to extend to goods taken of eyther ſide, although the Roman Catholickes ſuffered much more then all others in this warre, and your Lordſhip will conſider the reaſons for this propoſition.

Anſwer.

The 17. It is of neceſſitie the tryall of the perſons to be excepted be by parliament, otherwiſe the tryall cannot be indifferent in this caſe.

Anſwer.

Wee deſire notwithſtanding thoſe reaſons to be admitted to ſhew ſuch further and other reaſons, and to adde hereunto what wee ſhall thinke fit touching the matters wherein the anſwers are ſhort, or not ſatisfactory.

[redacted]

FINIS.

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